

10-9-79
Vol. 44—No. 196
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Book 1 of 2 Books
Tuesday, October 9, 1979

October 9, 1979

Highlights

- 57922. Housing** HUD/FHC gives notice of prototype cost determination under the low-income program; effective 10-9-79
- 57914 Small Businesses** SBA provides regulations defining the method for determining a firm's status for financial assistance; effective 10-9-79
- 58126 Oil and Natural Gas** Interior/BLM issues rule for the management of pipelines and related facilities located on Federal lands; effective 11-8-79
- 57996 Teaching and Learning Research Program** HEW/NIH gives notice of applications being accepted for grants; comments by 1-21-80
- 58073 Equal Employment** EEOC promulgates interim rule on clarification of Pregnancy Act guidelines; effective 9-28-79 (Part II of this issue)
- 57940 Income Tax** Treasury/IRS intends to establish regulations on submission of copies of certain withholding exemption certificates; comments by 12-10-79
- 58076 Clean Water** EPA adopts regulations on denial or restriction of disposal sites under the Act; effective 10-9-79 (Part III of this issue)

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Highlights

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20403, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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Area Code 202-523-5240

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- 57955 **Implementation of Textile Agreements** publishes notices of restraint levels for certain cotton textile products from India and the Republic of the Philippines (2 documents)

- 57997 **National Direct Student Loan Programs** HEW/OE extends closing date to 10-23-79 for filing applications and establishing eligibility

- 57920 **Poison Prevention Packaging** CPSC establishes regulations exempting colestipol from child-resistant requirements; effective 10-9-79

- 58144- **Privacy Act** HEW issues notice of annual
- 58265 publication of systems of records (Part IX of this issue) (7 documents)

- 57994 **Privacy Act** HEW/Sec'y amends a system of records

- 58106 **Land Policy and Management** Interior/BLM proposes to establish procedures for all rights-of-way on public lands; comments by 1-7-80 (Part VI of this issue)

- 57907 **Burley Tobacco** USDA/AMS establishes amending rule on experimental sales in unified form; effective 10-9-79

- 57932 **Flue-cured Tobacco** USDA/ASCS proposes to proclaim national marketing quotas for the 1980-81, 1981-82, and 1982-83 marketing years; comments by 11-15-79

- 57910 **Burley Tobacco** USDA/CCC issues rule amending the price support regulations; effective 10-9-79

- 58033 **Sunshine Act Meetings**

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Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Revision of Delegation of Authority

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This document delegates the authority of the Assistant Secretary for Natural Resources and Environment to approve acquisitions for less than \$25,000, under the authority of the Weeks Act of March 11, 1911, as amended, and related acts, to the Chief of the Forest Service. It also reserves to the Assistant Secretary the authority contained in section 17(b) of the National Forest Management Act of 1976.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: G. W. Van Gilst, Director of Lands Staff, Forest Service, United States Department of Agriculture, Post Office Box 2417, Washington, DC 20013 (703) 235-8212.

SUPPLEMENTARY INFORMATION: Since this rule relates to internal agency management, good cause is found pursuant to 5 U.S.C. 553 and Department of Agriculture policy (36 FR 13804), that notice and other public procedures are unnecessary, and good cause is found for making this rule effective less than 30 days after publication in the Federal Register. Further, since this rule relates to internal agency management it is exempt from the provisions of Executive Order 12044, Improving Government Regulations, and, thus does not require the preparation of a regulatory impact analysis.

Accordingly, § 2.60 is amended by revising paragraphs (a), (a)(2), (b) and (b)(2) to read as follows:

Subpart G—Delegations of Authority by the Assistant Secretary for Natural Resources and Environment

§ 2.60 Chief, Forest Service.

(a) *Delegations.* Pursuant to § 2.19(d), the following delegations are made from the Assistant Secretary for Natural Resources and Environment to the Chief of the Forest Service:

* * * * *

(2) Protect, manage and administer the National Forest, National Forest purchase units, National Grasslands, and other lands and interests in lands administered by the Forest Service, which collectively are hereby designated as the National Forest System. This delegation covers the acquisition and disposition of lands and interests in lands, including the approval of acquisitions of less than \$25,000 under the Weeks Law of March 1, 1911, as amended, and related acts, as may be required in these programs.

* * * * *

(b) *Reservations.* The following authorities are reserved to the Assistant Secretary for Natural Resources and Environment:

* * * * *

(2) The authority as successor to the National Forest Reservation Commission to perform all functions previously performed by the Commission, including the establishment of purchase units and approval of acquisitions of \$25,000 or more, and to transmit purchase and exchange cases to Congress as required by section 17(b) of the National Forest Management Act of 1976 (16 U.S.C. 521 (b)).

* * * * *

(5 U.S.C. 301 and Reorganization Plan No. 2 of 1953)

M. Rupert Cutler,
Assistant Secretary for Natural Resources and Environment.

October 3, 1979.

[FR Doc. 79-31121 Filed 10-5-79; 8:45]

BILLING CODE 3410-11-M

7 CFR Part 15a

Education Programs or Activities Receiving or Benefitting From Federal Financial Assistance; Nondiscrimination on the Basis of Sex

AGENCY: Department of Agriculture.

ACTION: Notice of Presidential Approval of Final Rule.

SUMMARY: On April 11, 1979, the Department of Agriculture published regulations implementing Title IX of the Education Amendments of 1972, as amended, which prohibits (with certain exceptions) sex discrimination in federally-assisted education programs and activities. These regulations appeared in 44 FR 21607-21619.

The regulations were inadvertently published without the approving signature of the President as required by section 902 of the Education Amendments, 20 U.S.C. 1682. On July 25, 1979, the President approved the regulations as previously published.

EFFECTIVE DATE: These regulations are effective on July 25, 1979.

FOR FURTHER INFORMATION CONTACT: William C. Payne, (202) 447-7328.

Dated: October 2, 1979.

Jim Williams,
Secretary of Agriculture.

[FR Doc. 79-31087 Filed 10-5-79; 8:45 am]

BILLING CODE 3410-01-M

Agricultural Marketing Service

7 CFR Part 29

Experimental Sales of Burley Tobacco In Untied Form

AGENCY: Agricultural Marketing Service.
ACTION: Final rule.

SUMMARY: The Official Standard Grades for Burley Tobacco, U.S. Type 31, grown primarily in Kentucky, Tennessee, Ohio, Indiana, Virginia, West Virginia, North Carolina, and Missouri, are amended to permit burley tobacco to be eligible for all official grades when marketed untied in bales in limited quantities on all sales days during the 1979-80 season. Prior to the 1978-79 season, burley tobacco was eligible for all official grades only when marketed tied in hands.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: Leonard J. Ford, Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250 (202) 447-2567.

SUPPLEMENTARY INFORMATION: A notice was published on July 11, 1979, (44 FR 40608) that the Department was

considering a modification of the Official Standard Grades for Burley Tobacco, U.S. Type 31, pursuant to the authority contained in The Tobacco Inspection Act (49 Stat. 731, U.S.C. 511 *et seq.*).

During the 1974-75 and 1975-76 burley marketing seasons, the Department cooperated with the University of Kentucky which was conducting experimental sales of untied baled burley tobacco. In these experiments, Federal tobacco graders applied unofficial grades to the tobacco. This unofficial grading involved a determination by the federal grader as to the official grade a particular lot of tobacco would have warranted if the lot had been properly prepared for market and displayed as part of a regularly scheduled auction. In the 1976-77 season, experimental sales were conducted, using both baled tobacco and tobacco packed loose on burlap sheets, by the Universities of Kentucky and Tennessee and various State Farm Bureaus. Again, only unofficial grades were applied by Government graders. Experimental sales were discontinued during the 1977-78 season and the Council for Burley Tobacco appointed a committee to further study the entire project. Subsequent to this study, the Council made recommendations to the Secretary of Agriculture for the conducting of further experimental sales of baled burley tobacco in the 1978-79 marketing year.

Based on numerous requests from the burley industry and, particularly, on the recommendations of the Council, the Department amended its regulations for the 1978-79 season, solely for experimental purposes, to provide that on certain days during the season Federal graders apply official grades to limited quantities of untied burley tobacco packed straight in bales and offered for sale at auction centers throughout the entire burley production area.

During the 1978-79 marketing season, the Department collected pertinent project data on relevant aspects of the experiment. Much of this data was supplied by the Universities of Kentucky and Tennessee. At the request of the Agricultural Marketing Service, a study was made and a report was compiled by the Economics, Statistics, and Cooperatives Service which analyzed, interpreted, and summarized all available data on the experiment. Copies of this report are still available and may be obtained from: Information Division, Agricultural Marketing Service, Room 3639-S, U.S. Department

of Agriculture, Washington, D.C. 20250. Briefly, the report concluded:

—10.6 million pounds of burley was sold in bales—1.6 percent of total sales.

—Baled tobacco prices averaged one cent per pound lower than tied prices.

—Price differentials for baled tobacco varied by grade of tobacco—lug and leaf differentials were lowest and tips and nondescript highest.

—Grade distribution of tied and baled tobacco were similar.

—Some growers can realize cost savings of seven cents per pound by marketing their tobacco untied.

The report was reviewed by officials of the Agricultural Marketing Service, Agricultural Stabilization and Conservation Service, and Economics, Statistics, and Cooperatives Service. Based on their findings that the continuation of the experiment was in the interest of all segments of the burley tobacco industry, the Department, on July 11, 1979, proposed to extend the experiment, with modifications, into the 1979-80 marketing season.

Numerous comments on this proposal were received by the Department. The majority of comments received favored the amendment as proposed. The major points made by these commentors were that: (1) Untied sales could result in substantial savings in farmers' labor requirements compared to the traditional tied-in-hands method; and (2) the economics of the situation and the limited profit margin involved in producing, harvesting, housing, stripping, and marketing of burley tobacco dictates changes in the age-old method of tying tobacco in hands.

The major objection to the amendment as voiced by certain commentors was the quality of untied, baled tobacco would deteriorate in comparison to the traditional tied-in-hands method of marketing and the quality deterioration could adversely affect domestic and export trade. The possibility of quality deterioration is something the Department has been aware of since "untied" burley sales were first requested in 1974. To counter this possibility, the Department has suggested that producers be provided an advance educational program given prior to the season by the land-grant colleges stressing quality maintenance. While experimental sales are extended for one full marketing season during 1979-80, the Department will observe, particularly, the quality of the product. The data so gathered will be considered in determining whether permanent changes in the burley standards should be made in the future.

One commentor recommended that sales of untied burley packaged in

burlap sheets also be permitted. Another recommended that the size of the bale be changed to 18 × 15 × 36 inches. However, neither the Council for Burley Tobacco after continuous study of various packaging alternatives, nor the in-depth report compiled by ESCS recommends inclusion of these suggestions. Accordingly, the Department, in its determination to cooperate with the Council, and after a thorough evaluation of the ESCS report, cannot recommend expanding the 1979-80 experimental program to include sheeting of tobacco. Similarly, the Department lacks sufficient data to support a change in bale size, and it is noted that many producers are currently prepared and equipped to market their tobacco in 1 × 2 × 3 feet bales.

Despite the fact that the majority of the buying concerns remained neutral on the "tied-untied" burley issue, and the Department anticipates receiving full cooperation from that segment of the industry, a major buying concern did file a comment recommending against orientation of leaves within the bale. This recommendation is also a deviation from the initial proposal presented by the Burley Council. Since the orientation of leaves in tied or untied tobacco does facilitate the processing of such tobacco, especially export tobacco, it does not appear that current conditions justify changing the orientation of leaves within the bale during the 1979-80 marketing season.

One commentor recommended that a referendum be held to determine if producers favored the untied, baled burley tobacco program. As has been stated in prior years, The Tobacco Inspection Act does not contain authority for the holding of a binding referendum of this point. Of course, this does not preclude the holding of an advisory referendum in the future if the Department determines it is in the best interests of all concerned.

Lastly, one commentor recommended against limiting the experimental period to the 1979-80 season. Such a recommendation would inherently limit options for future experiments with untied, baled burley tobacco to the detriment of the burley industry. For example, the purpose of the one-year experiment in 1978-79 was to gather data for evaluation and that time frame proved to be adequate for such an evaluation process. Because each experimental period is created to achieve specific information without making a long-term commitment, it would not be appropriate to begin such an experimental period without a stated ending point.

Prior to the 1978-79 season, the definition of "rework", Section 29.3050 of the regulations provided that tobacco not tied in hands be graded NOG (no grade), a nonprice supported designation applied to tobacco classified as nested, off-type, rework, semicured, damaged 20 percent or more, abnormally dirty, containing foreign matter, and/or having an odor foreign to the type. Based on the Department's evaluation of the 1978-79 experiment and after a thorough analysis and evaluation of the comments received on the proposal to extend the experiment into the 1979-80 season, the Department is hereby modifying the Official Standard Grades for Burley Tobacco. Accordingly, the definition of "rework" in Section 29.3050 is amended for the 1979-80 marketing season only, to allow burley tobacco, untied in bales, to qualify for any of the official standard grades for which it meets the specifications, providing that the leaves in said bale are not tied in hands, are packed straight and that the bales are approximately 1 X 2 X 3 feet in size. Further, all such baled burley tobacco shall be officially graded at any warehouse on all sales days during the 1979-80 season.

Responsibilities imposed upon warehousemen and producers, respectively, by the adoption of the Department's proposal include:

1. It is the responsibility of the operator of a warehouse to open the particular bale in a lot of tobacco chosen by a grader for inspection and to reseal that bale after inspection; and
2. The producer is responsible for certifying that the bale inspected by a grader is representative of the grade of all the tobacco in that lot, that the leaf was stalk-cured, that the bales do not contain any foreign matter or material, and that the bales are not nested.

The Department's instructions to graders will be amended to conform to these understandings. Accordingly, § 29.3050 of the regulations is amended as follows:

§ 29.3050 Rework.

Any lot of tobacco which needs to be resorted or otherwise reworked to prepare it properly for market in the manner which is customary in the type area, including: (a) Tobacco which is so mixed that it cannot be classified properly in any grade of the type because the lot contains a substantial quantity of two or more distinctly different grades which should be separated by sorting; (b) tobacco which contains an abnormally large quantity of foreign matter or an unusual number of muddy or extremely dirty leaves which

should be removed; and (c) tobacco not tied in hands, not packed straight, not properly tied, or otherwise not properly prepared for market: *Provided*, That during the burley marketing season which will begin in November or December 1979 and end by April 1980, burley tobacco which is offered for sale in bales shall not be considered to require rework if the tobacco in said bales is not tied in hands, is packed straight, and the size of the bale is approximately 1 X 2 X 3 feet. *Provided further*, That: (1) tobacco marketed untied in bales will be officially graded on all sales days at any warehouse during the 1979-80 marketing season; (2) the operator of any warehouse at which baled burley tobacco is offered for sale shall open the particular bale, in a lot of tobacco, chosen by a grader for inspection and reseal that bale after inspection; and (3) the producer, by offering untied, baled burley tobacco for sale, certifies that the bale inspected by a grader is representative of the grade of all the tobacco in that lot, that the leaf was stalk-cured, that the bales do not contain any foreign matter or material and are not nested.

Dated: October 4, 1979.

P. R. "Bobby" Smith,
Assistant Secretary for Marketing and
Transportation Services.

[FR Doc. 79-31208 Filed 10-5-79; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 906

Oranges and Grapefruit Grown in Texas; Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses and a rate of assessment for the 1979-80 fiscal period, to be collected from handlers to support activities of the Texas Valley Citrus Committee which locally administers the Federal marketing order covering oranges and grapefruit grown in Texas.

DATES: Effective August 1, 1979, through July 31, 1980.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, (202) 447-5975.

SUPPLEMENTARY INFORMATION: *Findings.* This document is issued under Marketing Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in Texas, effective under the Agricultural Marketing Agreement Act of 1937, as

amended (7 U.S.C. 601-674). This action is based upon the recommendation and information submitted by the Texas Valley Citrus Committee, and upon other information. It is found that the expenses and rate of assessment, as hereafter provided, will tend to effectuate the declared policy of the act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 553), as the order requires that the rate of assessment for a particular fiscal period shall apply to all assessable oranges and grapefruit handled from the beginning of such period which began August 1, 1979. To enable the committee to meet fiscal obligations which are now accruing, approval of the expenses and assessment rate is necessary without delay. Handlers and other interested persons were given an opportunity to submit information and views on the expenses and assessment rate at an open meeting of the committee. It is necessary to effectuate the declared purposes of the act to make these provisions effective as specified.

Further, in accordance with procedures in Executive Order 12044, the emergency nature of this regulation warrants publication without opportunity for further public comments. The regulation has not been classified significant under the USDA criteria for implementing the Executive Order. An Impact Analysis is available from Malvin E. McGaha, 202-447-5975.

§ 906.219 Expenses and rate of assessment.

(a) Expenses that are reasonable and likely to be incurred by the Texas Valley Citrus Committee during the period August 1, 1979, through July 31, 1980, will amount to \$537,000.

(b) The rate of assessment for said period payable by each handler in accordance with § 906.34 is fixed at \$0.045 per 7/10 bushel carton of oranges or grapefruit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 3, 1979.

D. S. Kuryloski,
Deputy Director, Fruit and Vegetable
Division, Agricultural Marketing Service.

[FR Doc. 79-31120 Filed 10-5-79; 8:45 am]

BILLING CODE 3410-02-M

Commodity Credit Corporation**7 CFR Part 1464****Tobacco Loan Program**

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: This rule amends the tobacco price support regulations to provide price support for a limited quantity of 1979 crop baled burley tobacco. This change in the price support regulations will further a marketing research project being conducted by an industry group to determine whether marketing burley tobacco in bales will reduce the labor required for market preparation.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: Robert L. Tarczy, (202) 447-6733, Price Support and Loan Division, ASCS, P.O. Box 2415, Washington, D.C. 20013.

SUPPLEMENTARY INFORMATION: On July 11, 1979, notice was published in the Federal Register (44 FR 40809) inviting written comments, not later than August 10, 1979, on a proposal to amend the price support regulations for burley tobacco by extending into the 1979 crop the experimental marketing of baled burley tobacco. Under the proposed amendment, price support would be available to producers for baled 1979 crop burley tobacco for a quantity not to exceed 110 percent of the quantity approved for the farm by local ASC County committee. The quantity approved for any farm based on an application submitted by the producer, would be limited to the greater of 1,500 pounds or 20 percent of the effective farm quota—up from last year's 5 percent—except that larger amounts would be approved if the total requested for all farms in a State (rather than by county) is less than 20 percent of the effective quotas of all farms in the State. Also, proper identification of each bale will be required.

Under this amendment, price support will continue to be available on burley tobacco tied in hands. The same grade loan rates shall apply to baled burley tobacco as applied to tied burley tobacco.

Discussion of Comments

Comments were received from 898 persons and organizations by the close of the comment period, August 10, 1979. The proposal was favored by 817 producers, 13 farm organizations, 2 tobacco companies, and 4 others. The proposal was opposed by 49 producers, 1 farm organization, 3 warehouses, 2

trade associations, 1 tobacco company and 6 tobacco dealers.

Those favoring the proposal generally expressed the belief that marketing baled tobacco would enable producers to reduce marketing costs as the labor required to prepare tobacco for market is considerably less for baled tobacco than for tobacco tied in hands.

The major thrust of the responses from those who oppose the proposal was that (1) marketing of baled tobacco would be detrimental to tobacco quality, exports, prices, orderly marketing and small farmers; (2) most producers are satisfied with and are not unduly burdened by marketing tobacco tied in hands as the average producer has less than 5,000 pounds of tobacco and (3) a system working well (tied marketing) should not be replaced by an untried system (baled marketing).

The widely differing beliefs expressed by those opposing and those favoring the proposal point to a need for more definite information regarding the impact which a change to a less costly marketing method would have on the overall marketing situation. The proposed change, which would provide for the marketing with price support of a limited quantity of baled tobacco, would provide such information. Accordingly, after considering all comments received, it has been decided to adopt the proposed rule with two changes. One relates to identification of the tobacco approved for baled marketing with price support, and the other reduces the total amount of baled burley tobacco which would be eligible for price support from 25 percent to 20 percent of the individual farm's and total State's effective farm poundage quota to insure that enough tied tobacco is available for export.

Final Rule

Accordingly, 7 CFR Part 1464 is amended by revising subsections § 1464.2(e)(5) and § 1464.7(a)(5) to read as follows:

§ 1464.2 Availability of price support.

* * * * *

(e) * * *

(5) For 1979 crop burley tobacco, eligible producers may obtain price support on tied and untied burley tobacco packed in bales and offered for auction sale, subject to the following conditions:

(i) Applications for price support on baled tobacco: From September 4 through September 28, 1979, a producer who desires to market part of his/her burley tobacco in bales may request price support on such tobacco by filing an application with the local County ASC Committee. At the time of filing the

application for price support on baled tobacco, the producer shall certify that all bales delivered for price support will meet the following specifications and conditions:

(A) The quality and condition of the tobacco contained in each bale offered for marketing as a single lot will be representative of the quality and condition of the tobacco contained in all other bales of the same lot.

(B) The tobacco in each bale will be stalk-cured.

(C) The bales will not contain foreign matter or material.

(D) The bales will not be nested, and

(E) Any and all procedures and certifications which are normally required by law or regulation pertaining to burley production and marketing will be met and the applicable eligibility requirements for price support will also be met.

(ii) Limitation on quantity of tobacco which may be marketed in bales with price support: The maximum quantity of burley tobacco produced on a farm which a producer may market in bales with price support shall be 110 percent of the quantity approved for the farm by the County ASC Committee. A producer may make application for price support on any quantity of tobacco not in excess of the effective farm poundage quota. Approval of the quantity for price support shall be determined as follows:

(A) If the effective farm poundage quota is 1,500 pounds or less, the entire amount of tobacco specified in the application shall be approved.

(B) If the effective farm poundage quota is more than 1,500 pounds, the amount approved shall be the larger of 1,500 pounds or 20 percent of the effective farm poundage quota but not to exceed the quantity requested.

(C) Notwithstanding paragraph (e)(5)(ii)(B) of this section, if the total quantity approved in paragraphs (e)(5)(ii)(A) and (B) of this section for all farms in a State is less than 20 percent of the total effective farm poundage quota for all farms in the State, the amount approved for each farm in paragraph (e)(5)(ii)(B) of this section shall be increased by the lesser of the difference between the amount requested and the amount approved or an amount determined by subtracting the sum of the amounts approved in paragraph (e)(5)(ii)(A) and (B) of this section from the total quantity requested on all applications, dividing the result into the amount determined by subtracting the amounts approved in paragraphs (e)(5)(ii)(A) and (B) of this section from 20 percent of the total effective farm poundage quota for all farms in the State to obtain a four place

factor and multiplying the factor by the difference between the quantity requested and the amount approved for the farm in paragraph (e)(5)(ii)(B) of this section.

(iii) Price support will be available on baled tobacco at auction sales during the same period that price support is offered on burley tobacco tied in hands in the traditional manner.

(iv) Identification cards for tobacco approved for marketing in bales with price support: A Baled Burley Tobacco Identification card showing 110 percent of the pounds of baled tobacco approved for marketing with price support shall be issued for each farm for which approval is given. The identification card together with the 1979 burley tobacco marketing card shall be used to identify any baled tobacco for which price support is desired. Separate sale bills marked "Baled Burley" shall be prepared by the warehouse to identify sales of baled burley tobacco. Each bale in the lot shall be properly identified by a card, tag, or other identification attached thereto, showing the basket number. In addition the warehouse shall mark "No Price Support" on the basket ticket and on a sale bill for any baled tobacco not identified by an identification card. A separate basket ticket and sale bill marked "No Price Support" shall be prepared for that quantity of baled tobacco weighed in that is in excess of the balance of the pounds shown on the identification card.

(v) Specification of bales:

(A) Bales accepted for price support must be approximately 1x2x3 feet in size.

(B) The leaves in bales accepted for price support must be untied and oriented.

(vi) Grade loan rates for tobacco delivered for price support: The grade loan rates for baled burley tobacco will be the same as the grade loan rates to be established for 1979-crop burley tobacco tied in hands in the traditional manner.

* * * * *

§ 1464.7 Eligible producers.

(a) * * *

(5) The producer has complied with any certification he/she may have executed with respect to any baled 1979 crop burley tobacco delivered for price support.

* * * * *

Note: This final rule has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Relations." A determination has been made that this action should not be classified "significant" under

those criteria. A Final Impact Statement has been prepared and is available from Robert L. Tarczy, Price Support and Loan Division, Room 3754-South Building, P.O. Box 2415, Washington, D.C. 20250.

Signed at Washington, D.C., on September 28, 1979.

Weldon B. Denny,

Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc. 79-31206 Filed 10-5-79; 8:45 am]

BILLING CODE 3410-05-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Domestic Licensing of Production and Utilization Facilities; Codes and Standards for Nuclear Powerplants

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending its regulation, "Codes and Standards," to incorporate by reference a new edition and addenda of a national code that provides rules for the construction of nuclear powerplant components. This amendment provides for the use of updated methods in nuclear powerplant construction.

EFFECTIVE DATE: November 1, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. A. Taboada, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, (301-443-5999).

SUPPLEMENTARY INFORMATION: On December 18, 1978, the Nuclear Regulatory Commission published in the Federal Register (43 FR 58825) a proposed amendment to its regulations, 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," to incorporate by reference new addenda to the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code. The proposed amendment to 10 CFR 50.55a would incorporate by reference the Winter 1977 addenda and the Summer 1978 addenda to Section III of the ASME Boiler and Pressure Vessel Code and also contains minor and editorial changes.

The 1977 Edition of Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," of the ASME Code and Section XI addenda since the Summer 1975 Addenda have been evaluated by the staff and are being referenced with modifications in a separate amendment to the regulations.

The proposed amendments also included minor and editorial changes to

10 CFR 50.55a to make references to Section III in the regulations consistent with changes to Section III in the Winter 1977 Addenda. These changes in Section III of the ASME Code relate to the method for determining the edition and addenda applicable to components of the reactor coolant pressure boundary. The code presently provides that components meet the requirements of editions or addenda in effect on the date of purchase order of the components. Since the issuance of the Winter 1977 addenda, the code rules for selecting the applicable edition and addenda are more flexible. Under these rules, the licensee may establish the date of the code edition and addenda to be applied to a component. These dates may be the same for all components of a nuclear powerplant to accommodate standardization, but in no case may the dates be earlier than three years prior to the docket date for the application for the nuclear powerplant construction permit. These rules also permit more current code editions and addenda to be used. The proposed amendment would modify § 50.55a to be consistent with these changes in the code but would retain some restrictions in the regulations on the use of editions and addenda issued prior to the Winter 1972 Addenda.

Interested persons were invited to submit written comments for consideration in connection with the proposed amendment by January 17, 1979. Four letters were received in response to the notice of proposed rulemaking. In general the letters supported the proposed amendment and did not contain substantive negative comments. However, several suggestions for changes to the proposed amendment were made. Three of the letters suggested that the second sentence of proposed paragraph (b)(1) is ambiguous and should be clarified or deleted. This sentence states that "the edition and addenda selected for Section III for a given component also establishes a requirement that the identical edition or addenda be applicable to all other sections of the ASME Code used for the construction of the components".

The Commission agrees that the sentence in question is ambiguous and does not adequately describe, as intended, the code position on applicability of other sections of the code referenced in Section III. As written, the proposed rule could be interpreted to prohibit the use of newer editions and addenda of referenced sections and to require unnecessary additional welding qualification tests;

interpretations not intended. The intent of this sentence was simply to describe the code position on the subject. Since the ASME Code has recently published an amplification of their position in Volume 3 of their publication, "Interpretations" (111-1-78-50) dated 1979, the sentence in question is not needed and has been deleted in the notice of rulemaking.

In the fourth letter received, the suggestion was made that footnote 5, which describes the code provisions for implementation of Section III, be amended to allow for retroactive implementation of paragraph NCA-1140 of Section III of the ASME Code which governs code edition and addenda applicability. These provisions permit new components of nuclear power plants to be constructed to an edition or addenda, to be determined by the owner of the plant, retroactive to the Winter 1977 Addenda. Footnote 5 was not revised because the Commission considers the ASME Code provisions and footnote 5 which cover this point to be adequate and appropriate. Using these rules, the principle of standardization may be applied to new construction but limited to editions and addenda since Winter 1977.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended and Sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10 Chapter 1, Code of Federal Regulations, Part 50, are published as a document subject to codification.

1. In § 50.55a of 10 CFR Part 50, paragraphs (b)(1), (c)(3), (d)(3), (e)(3), and (f)(3) are revised to read as follows:

§ 50.55a Codes and standards.

Each operating license for a boiling or pressurized water-cooled nuclear power facility shall be subject to the conditions in paragraph (g) of this section and each construction permit for a utilization facility shall be subject to the following conditions in addition to those specified in § 50.55:

(b)(1) As used in this section, references ¹ to Section III of the ASME Boiler and Pressure Vessel Code refer to Section III, Division 1, and include editions through the 1977 Edition and addenda through the Summer 1978 Addenda.

¹ These incorporation by reference provisions were approved by the Director of the Federal Register on March 17, 1972, May 4, 1973, and February 7, 1978.

(c) Pressure vessels:

(3) For construction permits issued on or after July 1, 1974, pressure vessels which are part of the reactor coolant pressure boundary ² shall meet the requirements for Class 1 components set forth in Section III ^{3 4 5 6} of the ASME Boiler and Pressure Vessel Code: *Provided*, That the ASME Code provisions applied to the pressure vessels shall be no earlier than those of the Summer 1972 Addenda of the 1971 edition.

(d) Piping:

(3) For construction permits issued on or after July 1, 1974, piping which is part of the reactor coolant pressure boundary ² shall meet the requirements for Class 1 components set forth in Section III ^{3 4 5 6} of the ASME Boiler and Pressure Vessel Code: *Provided*, That the ASME Code provisions applied to the piping shall be no earlier than those of Winter 1972 Addenda of the 1971 edition.

(e) Pumps:

(3) For construction permits issued on or after July 1, 1974, pumps which are part of the reactor coolant pressure boundary ² shall meet the requirements for Class 1 components set forth in Section III ^{3 4 5 6} of the ASME Boiler and Pressure Vessel Code: *Provided*, That the ASME Code provisions applied to the pumps shall be no earlier than those of the Winter 1972 Addenda of the 1971 edition.

(f) Valves:

(3) For construction permits issued on or after July 1, 1974, valves which are part of the reactor coolant pressure boundary ² shall meet the requirements set forth in Section III ^{3 4 5 6} of the ASME Boiler and Pressure Vessel Code: *Provided*, That the ASME Code provisions applied to the valves shall be no earlier than those of the Winter 1972 Addenda of the 1971 edition.

2. Footnotes 4, 5, and 6 to § 50.55a are revised to read as follows:

⁴ USAS and ASME Code addenda issued prior to the Winter 1977 Addenda are considered to be "in effect" or "effective" 6 months after their date of issuance and after they are incorporated by reference in paragraph (b) of this section. Addenda to the ASME Code issued after the Summer 1977 Addenda are considered to be "in effect" or "effective" after the date of publication of the addenda and after they are incorporated by reference in paragraph (b) of this section.

⁵ For ASME Code Editions and Addenda issued prior to the Winter 1977 Addenda, the Code Edition and Addenda applicable to the component is governed by the order or contract date for the component, not the contract date for the nuclear energy system. For the Winter 1977 addenda and subsequent editions and addenda the method for determining the applicable Code editions and addenda is contained in Paragraph NCA 1140 of Section III of the ASME Code.

⁶ ASME Code cases which have been determined suitable for use by the Commission staff are listed in NRC Regulatory Guide 1.84, "Code Case Acceptability—ASME Section III Design and Fabrication" and NRC Regulatory Guide 1.85, "Code Case Acceptability—ASME Section III Materials." The use of other Code cases may be authorized by the Commission upon request pursuant to § 50.55a(a)(2)(ii).

(Secs. 103, 104, 161i, Pub. L. 83-703; 68 Stat. 938, 937, 948 (42 U.S.C. 2133, 2134, 2201(i))

Dated at Washington, D.C. this 17th day of September 1979.

For the Nuclear Regulatory Commission.
Lee V. Gossick,
Executive Director for Operations.

[FR Doc. 79-31110 Filed 10-5-79; 8:45 am]

BILLING CODE 7550-01-21

10 CFR Part 50

Domestic Licensing of Production and Utilization Facilities; Codes and Standards for Nuclear Powerplants

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending its regulation, "Codes and Standards," to incorporate by reference a new edition and addenda of a national code that provides rules for the inservice inspection of nuclear power plant components. This amendment provides for the use of updated methods in nuclear power plant inspection.

EFFECTIVE DATE: November 1, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. A. Taboada, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, (301-443-5997).

SUPPLEMENTARY INFORMATION: On January 18, 1979, the Nuclear Regulatory Commission published in the Federal Register (44 FR 3719) a proposed amendment to its regulations, 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," to incorporate by reference new addenda to a referenced section of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code. The amendment to 10 CFR 50.55a

would incorporate by reference the 1977 Edition and addenda through the Summer 1978 Addenda to Section XI, "Inservice Inspection of Nuclear Power Plant Components," of the ASME Code with modifications.

The 1977 Edition of Section XI and addenda issued from Winter 1975 Addenda through the Winter 1977 Addenda, which had not been incorporated by reference in § 50.55a, contain several major changes to the code which, if incorporated into the NRC's regulations, would significantly reduce the examination requirements of inservice inspection programs presently required by the Commission for the reactor coolant pressure boundary and for systems required for safe shutdown of the reactor. It was the determination of the Commission that this edition and these addenda would be acceptable for incorporation by reference into the regulations only with appropriate modifications to retain those requirements considered necessary for an acceptable inservice inspection program.

In this regard, the Summer 1978 Addenda provide such modifications to Section XI of the ASME Code. Examination requirements removed from the code by the Winter 1975 Addenda through the Winter 1977 Addenda, but still required by the regulations, have either been restored or been superseded by provisions considered to be improvements.

In light of the changes in the Summer 1978 Addenda, the Commission is amending § 50.55a to incorporate by reference the 1977 Edition of Section XI of the ASME Code and Addenda through the Summer 1978 Addenda. Certain limitations and modifications to Section XI of the Code are included in the amendment to address the applicability of specific editions and addenda and to provide for flexibility and consistency in the implementation of the Code. The limitations and modifications include the following:

1. The applicability of certain code addenda to Section XI of the ASME Code is qualified to assure that appropriate inservice examination requirements are included in inservice inspection programs for nuclear facilities. These requirements were removed from Section XI of the Code in the Winter 1975 Addenda and have either been restored or have been superseded by acceptable alternatives in the Summer 1978 Addenda. The amendment, in effect, requires the application of the Summer 1978 Addenda to those inservice inspection programs that apply editions and addenda of Section XI from the Winter

1975 Addenda through the Winter 1977 Addenda.

2. The amendment provides Alternatives to the Code requirements for determining the extent and frequency of inservice inspection of pipe welds. Operating facilities and facilities in the construction stages with inservice inspection programs (facilities with applications for construction permits docketed prior to July 1, 1978) may apply the Summer 1975 Addenda in lieu of later Addenda for determining the examination program for Code Class 1 and Code Class 2 pipe welds. Only code addenda incorporated by reference in § 50.55a may be used by facility licensees for inspection programs, and the Summer 1975 Addenda are the last addenda so incorporated prior to this amendment. By applying this option, operating facilities with ongoing inservice inspection programs would have continuity in the extent and frequency of examinations for pipe welds. The amendment also provides for the use of the Summer 1975 Addenda for establishing the pipe welds to be examined in the Residual Heat Removal System, the Emergency Core Cooling System, and the Containment Heat Removal System pending the development of new code provisions with sampling plans for these systems.

3. Provisions added to article IWB-2000 of Section XI of the ASME Code by the Winter 1975 Addenda contained, for the first time, requirements for inservice inspection of steam generator tubing. However, it has been the practice of the Commission to include detailed provisions for the inservice inspection of steam generator tubing in the technical specifications for a specific reactor. The potential for conflicting requirements would exist if these code requirements were incorporated by reference into the regulations without appropriate modifications. Since the provisions in the technical specifications approved by the Commission are, in general, more complete and more current, the amendment requires that where differences between the code requirements in article IWB-2000 and the technical specifications for a particular reactor exist, the inservice inspection program for steam generator tubing shall be governed by the requirements in the technical specifications.

In addition to incorporation by reference the new ASME Code edition and addenda with modifications, the Commission has made several minor and clarifying amendments to § 50.55a. These include a change in the time interval for revising programs for

inservice examination of components and for testing pumps and valves to make this interval consistent with the inservice inspection interval in Section XI of the ASME Code. The interval for revising inservice inspection programs for operating plants is extended from 40 and 20 months to 120 months. Such a change makes the regulation more practical to implement and saves time and effort for both the NRC and the licensee without an increased risk to the public health and safety. Extending the period for revising the program is not considered a significant relaxation of safety requirements since Section XI is a relatively mature code and new code changes generally deal with practical considerations of implementation or the application of new developments. New code changes do not normally modify the safety aspects of the code. Further, as stated in § 50.55a, the Commission may impose new code requirements at any time if safety considerations so dictate.

Interested persons were invited to submit to the Commission written comments on the proposed amendments for its consideration. Four letters with comments were received in response. In general, the letters supported the proposed amendment. No substantive negative comments were made. However, the letters did include requests for clarification of specific provisions of the proposed amendments. The proposed provisions in question have been clarified in the amendment.

Copies of the comments along with the comment analysis supporting this amendment are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. Single copies of the comments and comment analysis may be obtained upon request from A. Taboada, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter 1, Part 50 of the Code of Federal Regulations are published as a document subject to codification.

In § 50.55a of 10 CFR Part 50, paragraph (g)(4)(v) is deleted; paragraphs (g)(2) and (g)(3)(v) are amended by deleting the words "become effective" and substituting therefor "are incorporated by reference in paragraph (b) of this section, subject to the limitations and modifications listed therein"; and paragraphs (b)(2),

and (g)(4)(i) through (g)(4)(iv) are revised to read as follows:

§ 50.55a Codes and standards.

Each operating license for a boiling or pressurized water-cooled nuclear power facility shall be subject to the conditions in paragraph (g) of this section and each construction permit for a utilization facility shall be subject to the following conditions in addition to those specified in § 50.55:

(b)(2) As used in this section, references ¹ to Section XI of the ASME Boiler and Pressure Vessel Code refer to Section XI, Division 1 and include editions through the 1977 Edition and addenda through the Summer 1978 Addenda, subject to the following limitations and modifications:

(i) *Applicability of specific editions and addenda.* When applying the 1974 Edition only the addenda through the Summer 1975 Addenda may be used. When applying the 1977 Edition all of the addenda through the Summer 1978 Addenda must also be used.

(ii) *Pressure-retaining welds in ASME Code Class 1 piping (applies to Table IWB-2500 and IWB-2500-1 and Category B-J).* If the facility's application for a construction permit was docketed prior to July 1, 1978, the extent of examination for Code Class 1 pipe welds may be determined by the requirements of Table IWB-2500 and Table IWB-2500 Category B-J of Section XI of the ASME Code in the 1974 Edition and addenda through the Summer 1975 Addenda or other requirements the Commission may adopt.

(iii) *Steam generator tubing (modifies Article IWB-2000).* If the technical specifications of a nuclear power plant include surveillance requirements for steam generators different than those in Article IWB-2000, the inservice inspection program for steam generator tubing shall be governed by the requirements in the technical specifications.

(iv) *Pressure-retaining welds in ASME Code Class 2 piping (applies to Tables IWC-2520 or IWC-2520-1, Category C-F).* (A) Appropriate Code Class 2 pipe welds in Residual Heat Removal Systems, Emergency Core Cooling Systems, and Containment Heat Removal Systems, shall be examined. The extent of examination for these systems shall be determined by the requirements of paragraph IWC-1220, Table IWC-2520 Category C-F and C-G, and paragraph IWC-2411 in the 1974

Edition and Addenda through the Summer 1975 Addenda of Section XI of the ASME Code.

(B) For a nuclear power plant whose application for a construction permit is docketed prior to July 1, 1978, the extent of examination for Code Class 2 pipe welds may be determined by the requirements of paragraph IWC-1220, Table IWC-2520 Category C-F and C-G and paragraph IWC-2411 in the 1974 Edition and Addenda through the Summer 1975 Addenda of Section XI of the ASME Code or other requirements the Commission may adopt.

(g) Inservice Inspection Requirements:

(4) Throughout the service life of a boiling or pressurized water-cooled nuclear power facility, components (including supports) which are classified as ASME Code Class 1, Class 2 and Class 3 shall meet the requirements, except design and access provisions and preservice examination requirements, set forth in Section XI of editions of the ASME Boiler and Pressure Vessel Code and Addenda that become effective subsequent to editions specified in paragraphs (g)(2) and (g)(3) of this section and are incorporated by reference in paragraph (b) of this section, to the extent practical within the limitations of design, geometry and materials of construction of the components.

(i) Inservice examinations of components, inservice tests to verify operational readiness of pumps and valves whose function is required for safety, and system pressure tests, conducted during the initial 120-month inspection interval shall comply with the requirements in the latest edition and addenda of the Code incorporated by reference in paragraph (b) of this section on the date 12 months prior to the date of issuance of the operating license, subject to the limitations and modifications listed in paragraph (b) of this section.

(ii) Inservice examinations of components, inservice tests to verify operational readiness of pumps and valves whose function is required for safety, and system pressure tests, conducted during successive 120-month inspection intervals shall comply with the requirements of the latest edition and addenda of the Code incorporated by reference in paragraph (b) of this section 12 months prior to the start of the 120-month inspection interval, subject to the limitations and modifications listed in paragraph (b) of this section.

(iii) For a facility whose operating license was issued prior to March 1, 1976, the provisions of paragraph (g)(4) of this section are effective after September 1, 1976, at the start of the next one third of a 120 month inspection interval. During that third of an inspection interval and the remainder of the inspection interval, the inservice examinations of components, tests to verify operational readiness of pumps and valves whose function is required for safety, and system pressure tests, for such facilities shall comply with the requirements in the latest edition and addenda of the Code incorporated by reference in paragraph (b) of this section on the date 12 months prior to the start of that third of an inspection interval, subject to the limitations and modifications listed in paragraph (b) of this section.

(iv) Inservice examinations of components, tests of pumps and valves, and system pressure tests, may meet the requirements set forth in subsequent editions and addenda that are incorporated by reference in paragraph (b) of this section, subject to the limitations and modifications listed in paragraph (b) of this section, and subject to Commission approval. Portions of editions or addenda may be used provided that all related requirements of the respective editions or addenda are met.

(Secs. 103, 104, 1611, Pub. L. 83-703; 68 Stat. 936, 937, 948; (42 U.S.C. 2133, 2134, 2201(i)).)

Dated at Washington, D.C. this 17th day of September 1979.

For the Nuclear Regulatory Commission.
Lee V. Gossick,
Executive Director for Operations.

[FR Doc. 79-31107 Filed 10-5-79; 8:45 am]
BILLING CODE 7530-01-11

SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

[Rev. 13, Amdt. 30]

Small Business Size Standards; Methods of Determining Small Business Status for Small Business Administration Loan Assistance

AGENCY: Small Business Administration.
ACTION: Final rule.

SUMMARY: This rule defines the method for determining a firm's small business status for purposes of SBA financial assistance when a firm and its affiliated concerns are engaged in more than one industry with more than one size standard. The existing formula method has produced inequitable and

¹ The incorporation by reference provisions were approved by the Director of the Federal Register on March 17, 1972, May 4, 1973, and February 7, 1978.

inconsistent results to similarly situated loan applicants. This rule would require that the primary business activity of the entire group be determined, and then the corresponding SBA industry loan size standard would be applied.

DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: John D. Whitmore, (202) 653-8373.

SUPPLEMENTARY INFORMATION:

Currently, there is a special rule that applies when there are external-operating affiliates engaged in industries subject to different size standards. This rule begins as the fourth sentence of the first paragraph of § 121.3-10 of the Small Business Size Standards and reads as follows:

If an applicant for an SBA loan has external-operating affiliates (i.e., affiliates which are primarily engaged in selling to the general public or to concerns other than the applicant concern or an affiliate thereof) and such external-operating affiliates are engaged in industries subject to size standards different than that of the applicant concern, the applicant concern's size status shall be determined by computing the percentage that the size of the applicant concern, including any internal-operating affiliates (i.e., affiliates primarily engaged in selling to the applicant or an affiliate thereof) is of the size standard for the industry in which the applicant, together with its internal-operating affiliates, is primarily engaged; and adding to it the percentage that the size of each of its external-operating affiliates is of the size standard for the industry in which each such external-operating affiliate is primarily engaged. In order for the applicant to be eligible under this revision, the total of such percentages must not exceed 100 percent. If a concern, including its internal-operating affiliate, if any, is engaged in more than one industry, the applicable size standard shall be that for its primary industry. In determining which of the industries is the primary industry, consideration shall be given to these criteria among others: distribution among such industries of receipts, employment, and costs of doing business.

In practice, this rule has proved difficult to administer, as the following determinations which are often complex must be made:

1. That there are at least two legally distinct concerns;
2. That at least two legally distinct concerns sell primarily to the general public;
3. That these external concerns are subject to different size standards;

4. What the percentages of the applicant and its internal and external affiliates' businesses are to the appropriate size standards; and

5. Adding the percentages to determine whether they exceed 100.

There often are difficulties in determining the primary industry of a concern without adding a further requirement of having to determine between external- and internal-operating affiliates.

Furthermore, it is inconsistent with the size regulations, in general, which determine size based on all the affiliated entities regardless of their industry and organizational structure; and that, in the absence of easy transfer of capital between affiliates, undercapitalization and/or failure of legitimate small business may result.

The April 23, 1979, Federal Register (44 FR 23875) Advance Notice suggested four alternative methods of determining loan applicants' small business size status.

The comments received were favorable to the first alternative and, on July 13 (44 FR 40897), the Size Standards Division published in the Federal Register that alternative as a proposed rule. It appears below as the final rule. Again, the comments were favorable to adopting the primarily engaged rule to replace the existing formula method.

Accordingly, pursuant to authority contained in section 5(b)(6) of the Small Business Act, 15 U.S.C. 634, as amended, notice is hereby given that § 121.3-10, Chapter I, title 13 of the Code of Federal Regulations is amended by deleting the fourth, fifth, sixth, and seventh sentences and substituting in lieu thereof the following:

§ 121.3-10 Definition of small business for SBA loans.

*** if a concern, not having any affiliates, is engaged in more than one industry with different size standards, the applicable size standard shall be that of its primary engaged industry. If an applicant concern has affiliates primarily engaged in other industries, the applicable size standard shall be that of the primary engaged industry of the entire affiliated group of concerns including the applicant. In determining which of the industries is the primary industry, consideration is given to these criteria, among others: distribution among such industries of receipts, employment, and costs of doing business.

* * * * *

Dated: October 1, 1979.

William H. Mauk, Jr.,
Acting Administrator.

[FR Doc. 79-31119 Filed 10-5-79; 2:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket Number 79-CE-21]

Designation of Transition Area; Rock Rapids, Iowa

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate a 700-foot transition area at Rock Rapids, Iowa, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Rock Rapids, Iowa Municipal Airport based on a Non-Directional Radio Beacon (NDB), a navigational aid being installed on the airport by the City of Rock Rapids. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

EFFECTIVE DATE: November 29, 1979.

FOR FURTHER INFORMATION CONTACT: Dwaine E. Hiland, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-537, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION: An instrument approach procedure to the Rock Rapids Municipal Airport, Rock Rapids, Iowa, is being established based on a Non-Directional Radio Beacon (NDB) a navigational aid being installed on the airport by the City of Rock Rapids. The establishment of an instrument approach procedure based on this approach aid entails the designation of a transition area at Rock Rapids, Iowa, at and above 700 feet above the ground (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rule (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Discussion of Comments

On page 47345 of the Federal Register dated August 13, 1979, the Federal

Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Rock Rapids, Iowa. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rule Making.

Accordingly, Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1979, (44 FR 442), is amended effective 0901 GMT November 29, 1979, by altering the following transition area:

Rock Rapids, Iowa

That airspace extending upward from 700 feet above the surface within a 6½-mile radius of the Rock Rapids Municipal Airport (latitude 43°27'10"N, longitude 96°10'50"W) and within 3 miles either side of the 347° bearing from the Rock Rapids NDB (latitude 43°27'04"N, longitude 96°10'40"W) extending from the 6½-mile radius area to 8½ miles northwest of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); sec. 11.69 of the Federal Aviation Regulations (14 CFR 11.69))

The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on September 27, 1979.

Charles A. Whitfield,

Acting Director, Central Region.

[FR Doc. 79-30944 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket Number 79-CE-23]

Alteration of Control Zone; Topeka, Kans.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to alter the designation of the Topeka, Kansas (Forbes Field) Control

Zone from a part-time to a continuous control zone. This action is necessary because the Kansas Air National Guard mission requires a 24-hour alert status. Communications and weather observations are provided by the FAA. The additional hours of communication are now included in a Notice to Airmen until action is completed to designate the control zone as continuous.

EFFECTIVE DATE: November 29, 1979.

FOR FURTHER INFORMATION CONTACT:

Benny J. Kirk, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-538, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION: The purpose of this Amendment to Subpart G, § 71.171 of the Federal Aviation Regulations (14 CFR, Section 71.171) is to alter the designation of the Topeka, Kansas (Forbes Field) Control Zone from part-time to continuous. The Kansas Air National Guard mission requires a 24-hour alert status. Communications and weather observations are provided by the FAA. The additional hours of operation are now included in a Notice to Airmen until action is completed to designate the Control Zone as continuous.

Discussion of Comments

On Pages 47345 and 47346 of the Federal Register dated August 13, 1979, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Control Zone at Topeka, Kansas. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received as a result of the Notice of Proposed Rule Making.

Accordingly, Subpart F, § 71.171 of the Federal Aviation Regulations (14 CFR 71.171) as republished on January 2, 1979 (44 FR 353) is amended effective 0901 GMT November 29, 1979, by altering the following control zone:

Topeka, Kansas (Forbes Field)

Within a 5-mile radius of Forbes Field Airport (latitude 38°57'06"N, longitude 95°39'45"W) within 2.5 miles each side of the Forbes Field LOM 317° bearing extending from the 5-mile radius zone to 6 miles northwest of the airport, and within 2 miles each side of the Forbes Field ILS localizer SE course extending from the 5 mile radius zone to 1 mile SE of the LOM, excluding the portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Philip Billard Airport, Topeka, Kansas control zone.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); sec. 11.69 of the Federal Aviation Regulations (14 CFR 11.69))

The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on September 26, 1979.

Charles A. Whitfield,

Acting Director, Central Region.

[FR Doc. 79-30943 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-RM-22]

Alteration of Transition Area and Control Zone; Butte, Mont.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This amendment alters the 1,200' transition area and control zone at Butte, Montana to provide controlled airspace for aircraft executing the new ILS Runway 15, standard instrument approach procedure to the Bert Mooney-Silver Bow County Airport, Butte, Montana. There will be no change to the 700' transition area.

EFFECTIVE DATE: November 29, 1979.

FOR FURTHER INFORMATION CONTACT:

David M. Laschinger, Operations, Procedures and Airspace Branch, Air Traffic Division, ARM-500, Federal Aviation Administration, Rocky Mountain Region, 10455 East 25th Avenue, Aurora, Colorado 80010; telephone (303) 837-3937.

SUPPLEMENTARY INFORMATION:

History

On September 13, 1979, the FAA published for comment a Notice of Proposed Rulemaking (NPRM) to alter the 1,200' transition area and control zone at Butte, Montana (44 FR 53176). No objections were received in response to this notice.

information as to export sales transactions made during the seven day period ending the preceding Friday, midnight. If Monday or Tuesday is a national holiday, the due date shall be Wednesday. If information is transmitted by other than use of forms specified in § 20.8(a) (such as by use of telephone, telex, TWX, Western Union telegram or facsimile) the required forms containing such information shall be transmitted by first class mail the next business day. It is the responsibility of the reporting exporter to arrange the most efficient and expeditious manner for the office specified in § 20.10 to receive the reported information.

(Sec. 812, Pub. L. 91-524, as added by Pub. L. 93-86, sec. 1 (27)(B), 87 Stat. 238 (7 U.S.C. 612c-3))

Note.—This proposal has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations." A determination has been made that this action should not be classified "significant" under those criteria. A Draft Impact Analysis has been prepared and is available from Richard J. Finkbeiner, Director, Export Sales Division, OGS, Room 4919-South Agriculture Building, Washington, D.C. 20250.

Dated: October 1, 1979.

Kelly Harrison,
General Sales Manager.

[FR Doc. 79-31099 Filed 10-5-79; 9:45 am]

BILLING CODE 3410-05-M

Agricultural Marketing Service

7 CFR Part 27

Cotton Classification Under Cotton Futures Legislation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rulemaking.

SUMMARY: This notice proposed the removal of Houston, Texas from the list of bona fide spot cotton markets in §§ 27.93 and 27.94 of the Regulations for Cotton Classification under Cotton Futures Legislation (7 CFR Part 27). Cotton is no longer traded in such volume and under such conditions in Houston to qualify this market as a bona fide spot market under the criteria contained in the U.S. Cotton Futures Act (90 Stat. 1841-46; 7 U.S.C. 15b).

DATE: Written comments must be received on or before December 10, 1979, in order to be sure of consideration.

ADDRESS: Send comments to Loyd Frazier, Chief, Marketing Services Branch, Cotton Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Loyd Frazier, Telephone (202) 447-2147.

SUPPLEMENTARY INFORMATION: Spot cotton market prices are used by the New York Cotton Exchange to establish settlement differences (premiums and discounts) for cotton delivered on futures contracts whenever the quality delivered deviates from the base quality. The U.S. Cotton Futures Act requires the Secretary of Agriculture to designate cotton markets which may be used to establish such settlement differences. The Act directs the Secretary to designate only those markets in which spot cotton is sold in such volume and such conditions as customarily to reflect accurately the value of the base quality and the differences between the prices or values of the base quality and the other grades for which standards have been established. There are 10 markets so designated by the Secretary at the present time.

Factors supporting the proposal that Houston be removed from the list of bona fide spot markets are as follows:

1. The volume of cotton traded on the Houston market has declined significantly during the past 10 years. During the past year trading has declined further, to the point where less than 1,500 bales of cotton have been reported as traded on the Houston market. This fails to meet the concept of a bona fide spot market.

2. Practically all-price information is provided by a single member of the Houston quotations committee. This, too, fails to meet the concept of a bona fide spot market.

3. Houston price quotations have not been used by the New York Cotton Exchange for the settlement of a futures contract since 1974.

4. The termination of Houston as a designated market was one of the recommendations made by the National Cotton Marketing Study Committee in August 1975. This committee was appointed from industry and government by the Secretary of Agriculture to study and appraise the U.S. cotton marketing system and related foreign trade problems.

It is proposed that the Greenville, South Carolina spot market quotations will replace Houston quotations in establishing settlement differences for Futures Contract No. 1 of the New York Cotton Exchange.

The Greenville quotations are presently used in establishing differences for New York Futures Contract No. 2 and they are based upon a significant number of transactions by a large number of traders.

§§ 27.93, 27.94 [Amended]

Accordingly, it is proposed that § 27.93 of the regulations (7 CFR 27.93) governing cotton classification under cotton futures legislation be amended by deleting Houston, Texas from the list of bona fide spot cotton markets. It is further proposed that § 27.94 (a) be amended by removing Houston, Texas and replacing it with Greenville, South Carolina.

Note.—This regulation has been determined not significant under the USDA criteria implementing Executive Order 12044.

Dated: October 3, 1979.

William T. Manley,
Deputy Administrator, Marketing Program Operations.

[FR Doc. 79-31140 Filed 10-5-79; 9:45 am]

BILLING CODE 3410-02-M

Agricultural Stabilization and Conservation Service

7 CFR Part 725

Proclamation of National Marketing Quotas for Flue-Cured Tobacco

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Proposed rule.

SUMMARY: The Secretary of Agriculture is preparing to proclaim national marketing quotas for flue-cured tobacco for the 1980-81, 1981-82, and 1982-83 marketing years. The Secretary also is considering whether to increase the National Average Yield Goal from its present level of 1,854 pounds per acre. These announcements must be made by December 1, 1979. You are invited to submit written comments and other information with respect to the determinations of the quota and related matters and the amount of the National Average Yield Goal.

DATES: Written comments must be received by November 15, 1979 in order to be sure of consideration.

ADDRESSES: Send comments to the Director, Price Support and Loan Division, ASCS, U.S. Department of Agriculture, Post Office Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Robert L. Tarczy, (202) 447-6733.

SUPPLEMENTARY INFORMATION: The Agricultural Adjustment Act of 1938 requires the Secretary to (1) proclaim quotas for the 1980-81, 1981-82, and 1982-83 marketing years, (2) determine and announce the amount of the national marketing quota, the national average yield goal and the national acreage allotment for the 1980-81

Rule

This amendment to Subparts F and G of Part 71 of the Federal Aviation Regulations amends the 1,200' transition area and control zone at Butte, Montana. This action is necessary to provide controlled airspace for aircraft executing the new ILS Runway 15, standard instrument approach procedure to the Bert Mooney-Silver Bow County Airport, Butte, Montana. This amendment does not affect the existing 700' transition area at Butte, Montana.

Drafting Information

The principal authors of this document are David M. Laschinger, Operations, Procedures and Airspace Branch, Air Traffic Division, and Daniel J. Peterson, office of Regional Counsel.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended effective 0901 G.m.t., November 29, 1979, as follows:

By amending § 71.171 by altering the following control zone:

Butte, Mont.

Within a 5-mile radius of the Bert Mooney-Silver Bow County Airport, Butte, Montana, (latitude 45°57'15"N., longitude 112°29'50"W.) and within 2 miles each side of the Butte vortac 115° radial extending from the 5-mile radius zone to the vortac; within 3 miles each side of the Bert Mooney-Silver Bow County Airport Runway 15 localizer course extending from the 5-mile radius zone to a point 13 miles northwest of the airport.

By amending § 71.181 by altering the following transition area:

Butte, Mont.

* * * and the airspace extending upward from 1,200 feet above the surface within 4.5 miles southwest and 9.5 miles northeast of the vortac 325° radial extending from the vortac to 18.5 miles northwest of the vortac, and within 4.5 miles west and 9.5 miles east of the vortac 002° radial extending from the vortac to 18.5 miles north of the vortac, and within 10 miles north and 7 miles south of the Whitehall, Montana, VOR 098° and 276° radials, extending from 20 miles east to 19 miles west of the VOR, and within an area bounded by a line beginning at latitude 46°25'00"N., longitude 112°48'00"W., to latitude 46°27'00"N., longitude 112°31'00"W., to latitude 45°49'00"N., longitude 112°22'00"W.; to latitude 45°47'00"N., longitude 112°39'00"W., thence to a point of beginning.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c); and 14 CFR 11.69.)

Note.—The FAA has determined that this document involves a proposed regulation

which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation, and a comment period of less than 45 days is appropriate.

Issued in Aurora, Colo., on September 25, 1979.

M. M. Martin,

Director, Rocky Mountain Region.

[FR Doc. 79-31080 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-SO-59]

Alteration of Transition Area, Springfield, Ky.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends § 71.181 of Part 71 of the Federal Aviation Regulations by altering the Springfield, Kentucky, transition area. A redesign of the Standard Instrument Approach Procedure no longer requires the Transition Area extension to be protected.

EFFECTIVE DATE: November 29, 1979.

ADDRESS: Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

FOR FURTHER INFORMATION CONTACT: John W. Schassar, Airspace and Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

SUPPLEMENTARY INFORMATION: A redesign of the Standard Instrument Approach Procedure no longer requires the Transition Area extension to be protected. Since this alteration is minor in nature, notice and public procedure thereon are not considered necessary.

Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.M.T., November 29, 1979, by deleting the following:

Springfield, Ky.

* * * Within three miles either side of the New Hope, Kentucky, VORTAC, 089° radial extending from the 6.5 mile radius area to 14 miles east of the VORTAC * * *

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Ga., on September 27, 1979.

Louis J. Cardinali,

Director, Southern Region.

[FR Doc. 79-31078 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-SO-37]

Designation of Transition Area, Livingston, Tenn.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This rule designates the Livingston, Tennessee, transition area. It will afford protected airspace for Instrument Flight Rule (IFR) aircraft using the new public use Standard Instrument Approach Procedure for that airport by lowering the base of controlled airspace in the vicinity of the Livingston Municipal Airport from 1200 to 700 feet AGL.

EFFECTIVE DATE: November 29, 1979.

ADDRESS: Federal Aviation Administration, Chief, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320.

FOR FURTHER INFORMATION CONTACT: John W. Schassar, Airspace and Procedures Branch, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: 404-763-7646.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking was published in the Federal Register on Thursday, August 9, 1979 (44 FR 46857), which proposed the designation of the Livingston, Tennessee, Transition Area. No objections were received from this Notice. The Airport operating status is accordingly changed from VFR to IFR.

Adoption of the Amendment

Accordingly, Subpart G, § 71.181 (44 FR 442) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is

amended, effective 0901 GMT, November 29, 1979, by adding the following:

Livingston, Tenn.

That airspace extending upward from 700 feet above the surface within a 5.5 mile radius of Livingston Municipal Airport (latitude 36°24'42"N., longitude 85°18'44"W.). (Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The Federal Aviation Administration has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in East Point, Ga., on September 27, 1979.

Louis J. Cardinali,

Director, Southern Region.

[FR Doc. 79-31081 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 19619; Amdt. No. 1148]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is \$135.00.

FOR FURTHER INFORMATION CONTACT: Gary W. Wirt, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. § 552(a) 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies

the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

... Effective November 29, 1979

Unalakleet, AK—Unalakleet, VOR/DME-A, Amdt. 6

Unalakleet, AK—Unalakleet, VOR-C, Amdt. 4

Unalakleet, AK—Unalakleet, VOR/DME-D, Amdt. 2

Bridgeport, CT—Igor I. Sikorsky Memorial, VOR Rwy 6, Amdt. 15

Bridgeport, CT—Igor I. Sikorsky Memorial, VOR Rwy 24, Amdt. 8

Madison, CT—Criswold, VOR-A, Amdt. 1

New Haven, CT—Tweed-New Haven, VOR Rwy 2, Amdt. 16

New Haven, CT—Tweed-New Haven, VOR Rwy 20, Amdt. 1

Bloomington, IN—Monroe County, VOR Rwy 6, Amdt. 12

Bloomington, IN—Monroe County, VOR Rwy 17, Amdt. 7
 Bloomington, IN—Monroe County, VOR Rwy 24, Amdt. 5
 Bloomington, IN—Monroe County, VOR Rwy 35, Amdt. 10
 Evansville, IN—Evansville Dress Regional, VOR Rwy 4, Amdt. 2
 Kentland, IN—Kentland Muni, VOR-A, Amdt. 1
 Lafayette, IN—Halsmer, VOR/DME-B, Amdt. 6
 Lafayette, IN—Purdue University, VOR-A, Amdt. 21
 Warsaw, IN—Warsaw Muni, VOR Rwy 36, Amdt. 4
 Henderson, KY—Henderson City-County, VOR-A, Amdt. 7
 Gaylord, MI—Otsego County, VOR Rwy 9, Original
 Gaylord, MI—Otsego County, VOR Rwy 27, Original
 Gaylord, MI—Otsego County, VOR Rwy 27, Amdt. 6, cancelled
 Broken Bow, NE—Broken Bow Muni, VOR Rwy 14, Original
 Amityville, NY—Zahns, VOR-A, Amdt. 5
 Calverton, NY—Peconic River Plant (Grumman), VOR/DME or TACAN Rwy 32, Original
 Calverton, NY—Peconic River Plant (Grumman), VOR/DME or TACAN-A, Original
 Calverton, NY—Peconic River Plant (Grumman), VOR-A, Amdt. 5, cancelled
 Fishers Island, NY—Elizabeth Field, VOR-A, Amdt. 3
 Saranac Lake, NY—Adirondack, VOR/DME Rwy 5, Original
 Saranac Lake, NY—Adirondack, VOR/DME Rwy 23, Original
 Shirley, NY—Brookhaven, VOR Rwy 6, Original
 Shirley, NY—Brookhaven, VOR Rwy 33, Amdt. 1, cancelled
 North Lima, OH—Youngstown Elser Metro, VOR-A, Original
 St. Clairsville, OH—Alderman, VOR-A, Original
 Westerly, RI—Westerly State, VOR-A, Amdt. 6
 Appleton, WI—Outagamie County, VOR/DME Rwy 3, Original

... *Effective November 15, 1979*

Hope, AR—Hope Municipal, VOR/DME Rwy 4, Amdt. 4
 Newport, AR—Newport Muni, VOR/DME-A, Amdt. 2
 Pocahontas, AR—Pocahontas Muni, VOR Rwy 36, Amdt. 4
 Walnut Ridge, AR—Walnut Ridge Regional, VOR-A, Amdt. 12
 Walnut Ridge, AR—Walnut Ridge Regional, VOR/DME Rwy 22, Amdt. 9
 Griffin, GA—Griffin-Spalding County, VOR/DME Rwy 13, Amdt. 4
 Coeur D'Alene, ID—Coeur D'Alene Air Terminal, VOR Rwy 5, Amdt. 1
 Fort Wayne, IN—Fort Wayne Muni (Bear Field), VOR Rwy 22 (TAC), Amdt. 7
 Plymouth, IN—Plymouth Muni, VOR Rwy 10, Amdt. 8
 Plymouth, IN—Plymouth Muni, VOR Rwy 28, Amdt. 7
 Wabash, IN—Wabash Muni, VOR-A, Amdt. 5

Harlan, IA—Harlan Municipal, VOR/DME-A, Amdt. 3
 Sandusky, OH—Griffing Sandusky, VOR Rwy 27, Amdt. 2
 Greenwood, SC—Greenwood County, VOR Rwy 9, Amdt. 11
 Greenwood, SC—Greenwood County, VOR Rwy 27, Amdt. 10
 Columbus, TX—Columbus, VOR-A, Amdt. 2
 Grundy, VA—Grundy Muni, VOR Rwy 4, Amdt. 2
 Grundy, VA—Grundy Muni, VOR/DME-A, Original

... *Effective November 1, 1979*

Norfolk, NE—Karl Stefan Memorial, VOR Rwy 1, Amdt. 3
 2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

... *Effective November 29, 1979*

Warsaw, IN—Warsaw Muni, SDF Ry 18, Amdt. 2
 Warsaw, IN—Warsaw Muni, SDF BC Rwy 36, Original

... *Effective November 15, 1979*

Fayetteville, AR—Drake Field, LOC Rwy 16, Amdt. 8

... *Effective November 1, 1979*

Kansas City, KS—Fairfax Muni, LOC Rwy 35, Original
 Kansas City, KS—Fairfax Muni, LOC-E, Original
 Ft. Leonard Wood, MO—Forney AAF, LOC Rwy 14, Amdt. 1
 Norfolk, NE—Karl Stefan Memorial, LOC Rwy 1, Amdt. 1
 Ogdensburg, NY—Ogdensburg International, LOC Rwy 27, Original
 Ponca City, OK—Ponca City Muni, LOC Rwy 17, Original
 Ponca City, OK—Ponca City Muni, SDF Rwy 17, Original, cancelled
 Ponca City, OK—Ponca City Muni, SDF/DME (BC) Rwy 35, Original, cancelled
 Summersville, WV—Summersville, SDF Rwy 4, Original

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

... *Effective November 29, 1979*

Unalakleet, AK—Unalakleet, NDB Rwy 14, Amdt. 1
 Bloomington, IN—Monroe County, NDB Rwy 35, Amdt. 2
 Evansville, IN—Evansville Dress Regional, NDB Rwy 22, Amdt. 10
 Frankfort, IN—Frankfort Muni, NDB Rwy 3, Amdt. 2
 Lafayette, IN—Purdue University, NDB Rwy 10, Amdt. 8
 Monticello, IN—White County, NDB Rwy 36, Amdt. 2
 Broken Bow, NE—Broken Bow Muni, NDB Rwy 14, Amdt. 4
 Burwell, NE—Cram Field, NDB Rwy 15, Amdt. 2
 Islip, NY—Long Island MacArthur, NDB Rwy 6, Amdt. 15
 Shirley, NY—Brookhaven, NDB-A, Amdt. 2
 Xenia, OH—Greene County, NDB Rwy 25, Amdt. 2

Superior, WI—Richard I. Bong, NDB Rwy 31, Original

... *Effective November 15, 1979*

Mobile, AL—Bates Field, NSB Rwy 14, Amdt. 22
 Newport, AR—Newport Muni, NDB Rwy 36, Amdt. 4
 Walnut Ridge, AR—Walnut Ridge Regional, NDB Rwy 17, Amdt. 2
 Coeur d'Alene, ID—Coeur d'Alene Air Terminal, NDB Rwy 5, Amdt. 4
 Wabash, IN—Wabash Muni, NDB Rwy 27, Amdt. 5
 Harlan, IA—Harlan Municipal, NDB Rwy 33, Original
 Marshalltown, IA—Marshalltown Muni, NDB Rwy 12, Amdt. 1
 Alexandria, LA—Esler Regional, NDB Rwy 26, Amdt. 5
 Morristown, NJ—Morristown Muni, NDB Rwy 5, Amdt. 10
 Morristown, NJ—Morristown Muni, NDB Rwy 23, Amdt. 5
 Coatesville, PA—Chester County G.O. Carlson, NDB Rwy 11, Amdt. 5
 Burnet, TX—Burnet Muni Kate Craddock Field, NDB-A, Amdt. 2
 Falfurrias, TX—Brooks County, NDB Rwy 32, Original, cancelled

... *Effective November 1, 1979*

Ogdensburg, NY—Ogdensburg International, NDB-A, Amdt. 4
 Ponca City, OK—Ponca City Muni, NDB Rwy 17, Original
 Ponca City, OK—Ponca City Muni, NDB Rwy 17, Original, cancelled (IDENT LDX)
 Summersville, WV—Summersville, NDB Rwy 4, Original

4. By amending § 97.29 ILS-MLS SIAPs identified as follows:

... *Effective November 29, 1979*

Bridgeport, CT—Igor I. Sikorsky Memorial, ILS Rwy 6, Amdt. 2
 Groton (New London), CT—Groton-New London, ILS Rwy 5, Amdt. 5
 New Haven, CT—Tweed-New Haven, ILS Rwy 2, Amdt. 7
 Bloomington, IN—Monroe County, ILS Rwy 35, Amdt. 2
 Evansville, IN—Evansville Dress Regional, ILS Rwy 22, Amdt. 18
 Lafayette, IN—Purdue University, ILS Rwy 10, Amdt. 6
 Calverton, NY—Peconic River Plant (Grumman), ILS Rwy 5, Amdt. 9
 Islip, NY—Long Island MacArthur, ILS Rwy 6, Amdt. 18
 Islip, NY—Long Island MacArthur, ILS Rwy 24, Amdt. 2
 Saranac Lake, NY—Adirondack, ILS Rwy 23, Amdt. 4

... *Effective November 15, 1979*

Mobile, AL—Bates Field, ILS Rwy 14, Amdt. 24
 Morristown, NJ—Morristown Muni, ILS Rwy 23, Amdt. 3
 Austin, TX—Robert Mueller Muni, ILS Rwy 12R, Amdt. 3

5. By amending § 97.31 RADAR SIAPs identified as follows:

... *Effective November 29, 1979*

Evansville, IN—Evansville Dress Regional, RADAR-1, Amdt. 3

... *Effective November 15, 1979*

Little Rock, AR—Adams Field, RADAR-1, Amdt. 11

Beaumont-Port Arthur, TX—Jefferson County, RADAR-1, Amdt. 3

6. By amending § 97.33 RNAV SIAPs identified as follows:

... *Effective November 29, 1979*

Cedartown, GA—Cornelius-Moore Field, RNAV Rwy 10, Original

Cedartown, GA—Cornelius-Moore Field, RNAV Rwy 28, Original

Evansville, IN—Evansville Dress Regional, RNAV Rwy 4, Amdt. 5

Lafayette, IN—Purdue University, RNAV Rwy 28, Amdt. 1

... *Effective November 15, 1979*

Little Rock, AR—Adams Field, RNAV Rwy 36, Amdt. 6

Oxford, CT—Waterbury-Oxford, RNAV Rwy 18, Original

Atlanta, GA—Charlie Brown County, RNAV Rwy 26L, Amdt. 1

Peachtree City, GA—Falcon Field, RNAV Rwy 31, Amdt. 1

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. §§ 1348, 1354(a), 1421, and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)); and 14 CFR 11.49(b)(3))

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C. on September 28, 1979.

James M. Vines,

Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 79-31178 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket C-2884]

Diners Club, Inc., et al.; Prohibited Trade Practices and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Final order.

SUMMARY: This amended order modifies an April 22, 1977 consent order [42 FR 27877] issued against National Account Systems, Inc. (NAS), its owner, The Diners Club, Inc. (Diners), and three NAS subsidiaries, by including Payco American Corporation (Payco) as a respondent. Payco, who has purchased NAS and its subsidiaries from Diners, has agreed, upon transfer of interest, to assume Diners' obligations under the amended order, although Diners would still be bound by the provision prohibiting the use of independent agents or other entities to circumvent any term of the amended order.

DATES: Complaint issued April 22, 1977. Decision issued Aug. 10, 1979.¹

FOR FURTHER INFORMATION CONTACT: Harvey Saferstein, Director, 7R, Los Angeles Regional Office, Federal Trade Commission, 11000 Wilshire Blvd., Los Angeles, CA. 90024. (213) 824-7575.

SUPPLEMENTARY INFORMATION: On Thursday, May 31, 1979, there was published in the Federal Register, 44 FR 31200, a proposed consent agreement with analysis in the Matter of the Diners Club, Inc., a corporation, National Account Systems, Inc., a corporation, NAS Creditors Service, Inc., a corporation, National Account Systems of Milwaukee, Inc., a corporation, A. B. Hartman, Inc., a corporation, and Payco American Corporation, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

Codification under 16 CFR Part 13, appearing at 42 FR 27877, remains unchanged.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 15 U.S.C. 45, 1801, *et seq.*)

Carol M. Thomas,

Secretary.

[FR Doc. 79-31137 Filed 10-5-79; 8:45 am]

BILLING CODE 6750-01-M

¹ Copies of the Decision and Order filed with the original document.

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1700

Poison Prevention Packaging; Exemption of Colestipol From Child-Resistant Packaging Requirements

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: In this document the Consumer Product Safety Commission (CPSC) issues a final amendment under the Poison Prevention Packaging Act of 1970 (PPPA) to exempt colestipol in powder form in packages containing no more than 5 grams of the drug. (Colestipol is an oral prescription drug used to lower cholesterol.) The exemption is issued because the information available to the Commission indicates that child-resistant packaging for this product is not necessary to protect young children from serious personal injury or illness, due to the low oral toxicity of the drug, the lack of adverse human experience associated with accidental ingestions, and the fact that the drug is unattractive to children because of its powder form, sandy texture, and lack of flavor.

DATES: This amendment is effective October 9, 1979.

FOR FURTHER INFORMATION CONTACT: Sandra Eberle, Directorate for Compliance and Enforcement, Consumer Product Safety Commission, Washington, D.C. 20207 (301) 492-6400.

SUPPLEMENTARY INFORMATION:

Background

The regulations issued under the Poison Prevention Packaging Act of 1970 (the "PPPA", 15 U.S.C. 1471-1476) establish child protection packaging requirements (also called "special packaging") for human oral prescription drugs in order to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting these substances.

On May 1, 1978 the Consumer Product Safety Commission received a petition (PP 78-4) from the Upjohn Company, Kalamazoo, Michigan 49001, requesting an exemption from special packaging for "Colestid" (colestipol) in powder form in a 5 gram foil package. Colestid is a non-absorbed cross-linked polymer that absorbs bile acids thus interfering with the biological synthesis of cholesterol. The drug is a hypocholesterolemic agent used to lower serum cholesterol via nonsystemic action. In support of the petition Upjohn submitted the following information: a summary of animal

toxicology studies, a summary of clinical experience, a summary of metabolism studies, a summary of marketing experience and reported adverse reactions, a report of a child acceptance study, product and packaging specifications, and labeling. A copy of this information is available in the Commission's Office of the Secretary.

Special packaging is currently required for the drug by the Commission's regulation covering human prescription drugs in oral dosage form at 16 CFR 1700.14(a)(10).

After considering the information available to it, the Commission decided to grant the petition and proposed an exemption from the child-resistant packaging requirements (44 FR 6343, January 31, 1979).

The proposed exemption covered colestipol in powder form in packages containing not more than 5 grams of the drug and containing no other substance subject to child protection packaging requirements. The Commission proposed that the exemption be effective on the date the final regulation is published in the Federal Register.

Response to Comments

In response to the proposed rule, the Commission received one comment from an association of pharmacists. The commentator supported the exemption for colestipol. The commentator also recommended that the Commission establish exemptions after having determined the maximum quantity of a drug that can be ingested by a child without significant effect, rather than establishing exemptions based on petitions from manufacturers to exempt their own particular package size.

The Commission agrees with the commentator that the proposed exemption for colestipol should be issued in final form. However, the Commission does not agree with the commentator that before granting an exemption the Commission must first determine the maximum quantity of a drug that can be safely ingested by a child. Any attempt at setting a maximum allowable level would be complicated, since there is no established method of determining such maximum levels with any reasonable degree of certainty. For example, while the median lethal dose (LD 50) data may be used to approximate a range of doses that could be considered fatal, such data do not provide information on how much of a drug may be ingested with impunity. Since the Commission does not believe there are commonly accepted procedures for establishing maximum safe levels of ingestion of a drug, the Commission generally considers exemption requests only for

the quantity of the drug requested by the petitioner. Most exemptions issued by the Commission (including the exemption issued here) cover the generic form of the product, so that if an exemption is granted, the exemption would cover the same products made by other manufacturers in the same or lower dosage.

Persons who wish to exempt a product in a higher dosage may petition the Commission to extend the exemption to include their product in the higher dosage. At 16 CFR Part 1702, the Commission has issued interim regulations concerning petition procedures and requirements for exemptions from PPPA requirements.

The Commission believes that exemptions from special packaging requirements should only be granted on a limited basis where there is a definite need for the exemption. The Commission's interim regulations regarding petitions for exemption under the PPPA place the burden on the petitioner to submit all available information concerning the drug and to provide the justification for the requested exemption. As a general rule, the Commission believes that it would be an inefficient use of the Commission's limited resources to attempt to set higher exemption levels than those requested by petitioners where, as in the case of colestipol, there is no apparent need for an exemption other than that requested. In considering petitions for exemptions under these regulations, the Commission has found that the exemption process has worked efficiently and fairly, and has not presented an undue burden on manufacturers seeking an exemption.

Grounds for Exemption

The Commission's decision to issue the exemption is based on the low acute oral toxicity of the drug, the lack of adverse human experience data associated with the product, and studies indicating that the drug is unattractive to children.

Radioisotopic studies in both animals and man indicate that virtually none of the product is absorbed from the gastrointestinal tract due to its insolubility. In addition, toxicity studies in mice, rats, rabbits, and dogs indicate that the product as formulated does not produce any lethality when ingested in doses up to 4000 mg/kg. The acute oral LD 50 has been determined to be greater than 4g/kg. (A 10 kg child would have to ingest more than 40 gms of the product in order to approach the LD 50.) Analysis of other experimental data and available pharmacological information, both animal and human, indicates that

the oral toxicity of this product is such that this extrapolation may be considered to approximate the anticipated toxicological effect in humans.

Information available to the Commission shows that the drug is unattractive to children. Results of a study performed by Child-Related Research indicates that children tested did not ingest more than one gram of the product while it was accessible to them. According to the study, the powdery consistency of the product makes it difficult for children to handle and transport the product to their mouths. In addition, the sandy texture and lack of flavor discourages the ingestion of large amounts of the product.

The product covered by the exemption was first marketed in 1977. Since that time, there have not been any overdoses reported for the product. Also, the National Electronic Injury Surveillance System does not contain any reports of colestipol ingestions for the periods January 1, 1978 to April 30, 1979. (At the present time, statistics from the National Clearinghouse Poison Control Centers are not available for this drug.) In addition, there are no consumer complaints or death certificates for colestipol currently on file with the National Injury Information Clearinghouse.

The Commission solicited the opinion of the Food and Drug Administration (FDA) on the exemption request. Based on the very low acute toxicity of the product and the results of the product ingestion study conducted by Child-Related Research, FDA concluded that the exemption should be granted.

The Commission also solicited comments from its Technical Advisory Committee on Poison Prevention Packaging. Of the twelve comments received, ten recommended granting the exemption, citing as reasons the low toxicity and lack of absorption of the drug and the general dislike for the product by the children tested. One comment recommended denial and another recommended granting the petition with reservations, due to the drug's potential for causing gastrointestinal or respiratory distress should a sufficient amount of the drug, in dry form, be ingested or inhaled. However, the product ingestion study indicates that only small amounts of the drug (less than 1 gram in most cases) were actually ingested. With the small amount likely to be ingested, gastrointestinal or respiratory distress is unlikely to occur.

Based on its evaluation of the available toxicity information and human experience data, the Commission

finds that this drug in the dosage and form specified does not pose a risk of serious personal illness or injury to children. The Commission emphasizes that this exemption is limited to colestipol in powder form in 5 gram packages and containing no other substance subject to the requirements for special packaging under 16 CFR 1700.14(a)(10). The applicability of 16 CFR 1700.14(a)(10) to ingredients other than colestipol is not affected by this exemption.

In order to help ensure that the exemption will apply to as many similarly situated manufacturers as possible, the exemption is phrased in terms of the generic name and total amount of the drug that is present in the package.

Findings

Having considered the petition and the comments on the proposal, human experience data from the National Clearinghouse for Poison Control Centers and the Commission's own resources, as well as medical and scientific literature, and experimental data; and having consulted, pursuant to section 3 of the PPPA, with the Technical Advisory Committee on Poison Prevention Packaging established under section 6 of the act, the Commission finds that colestipol in powder form in packages containing no more than 5 grams of the drug does not create such a hazard to children that special packaging is required to protect them from serious personal injury or serious illness resulting from handling, using or ingesting the substance.

Effective Date

Since this rule grants an exemption, the delayed effective date provisions of the Administrative Procedure Act are inapplicable (5 U.S.C. 553(d)(1)). Accordingly, this exemption becomes effective on October 9, 1979.

Environmental Considerations

The Commission's interim rules for carrying out its responsibilities under the National Environmental Policy Act (see 16 CFR Part 1021; 42 FR 25494) provide that exemptions to an existing standard that do not alter the principal purpose or effect of the standard normally have no potential for affecting the environment and environmental review of exemptions from regulations is, therefore, generally not required (§ 1021.5(b)(1)). The rules also state that environmental review of rules requiring poison prevention packaging is generally not required (§ 1021.5(b)(3)).

With respect to this exemption of colestipol from poison prevention

packaging, the Commission finds that the rule will have no significant effect on the human environment and that no environmental review is necessary.

Conclusion

Having considered the petition, human experience data, and other medical and scientific literature, and having consulted with the Technical Advisory Committee on Poison Prevention Packaging as required by section 3 of the Poison Prevention Packaging Act of 1970, the Consumer Product Safety Commission concludes that an exemption from the requirement of special packaging at 16 CFR 1700.14(a)(10) should be issued for colestipol in powder form in 5 gram packages.

Accordingly, under provisions of the Poison Prevention Packaging Act of 1970 (Pub. L. 91-601; secs. 2(4), 3, 5; 84 Stat. 1670-72; 15 U.S.C. 1471(4), 1472, 1474) and under authority vested in the Commission by the Consumer Product Safety Act (Pub. L. 92-573; sec. 30(a); 86 Stat. 1231; 15 U.S.C. 2079(a)), the Commission amends 16 CFR 1700.14 by adding a new paragraph (a)(10)(xv) as follows (the introductory portion of paragraph (a)(10), although unchanged, is included for context):

§ 1700.14 Substances requiring special packaging.

(a) * * *

(10) Prescription drugs. Any drug for human use that is in a dosage form intended for oral administration and that is required by Federal law to be dispensed only by or upon an oral or written prescription of a practitioner licensed by law to administer such drug shall be packaged in accordance with the provisions of § 1700.15(a), (b), and (c), except for the following:

* * * * *

(xv) Colestipol in powder form in packages containing not more than 5 grams of the drug and containing no other substance subject to the provisions of this section.

(Secs. 2(4), 3, 5, Pub. L. 601, 84 Stat. 1670-1672 (15 U.S.C. 1471(4), 1472, 1474), Pub. L. 92-573, Sec. 30(a); 86 Stat. 1231 (15 U.S.C. 2079(a)).)

Effective Date: October 9, 1979.

Dated: October 2, 1979.

Sadye E. Dunn,
Secretary, Consumer Product Safety
Commission.

[FR Doc. 79-31118 Filed 10-5-79; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for
Housing—Federal Housing
Commissioner

24 CFR Part 841

[Docket No. N-79-952]

Appendix A—Prototype Cost Limits for Low-Income Public Housing

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice of Prototype Cost Determination Under 24 CFR, Part 841, Appendix A.

SUMMARY: On June 6, 1979, the Department published a revised schedule of "Prototype Cost Limits for Low-Income Public Housing." After consideration of additional factual data, revisions are necessary to increase per unit prototype cost limits for one area in the State of Michigan.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. Jack R. VanNess, Director, Technical Support Division, Office of Public Housing—Room 6248, 451 7th Street, SW., Washington, D.C., 20410, (202) 755-4956 (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The United States Housing Act of 1937 requires determination by HUD of the costs in different areas for construction and equipment (prototype costs) of new dwelling units suitable for occupancy by low-income families.

The prototype costs constitute a limit on development cost for construction and equipment of new public housing projects, including Indian housing projects.

These schedules establish per unit limits on prototype costs (dwelling construction and equipment) for development of low-income public housing under the United States Housing Act of 1937. The Act provides (section 6(b)) that the prototype costs shall be effective October 9, 1979, and this Notice is, therefore, made effective upon publication.

Timely written comments will be considered and additional amendments will be published if the Department determines that acceptance of the comments is appropriate. Comments with respect to cost limits for a given location should be sent to the address indicated above.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969, has been made in accordance with HUD procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of General Counsel, Room 5128 451 7th Street, SW., Washington, D.C. 20410.

PART 841, APPENDIX A [AMENDED]

Accordingly, the prototype per unit cost schedules issued under 24 CFR, Part 841, Appendix A, Prototype Cost Limits for Low-Income Housing are amended as follows:

At 44 FR 32547, revise the per unit cost schedules for detached and semi-detached, row, walk-up and elevator dwellings, as shown on the prototype per unit cost schedules, Region V, Marquette, Michigan.

(Sec. 7(d), Department of HUD Act, (42 U.S.C. 3535(d)); sec. 6(b) U.S. Housing Act of 1937, (42 U.S.C. 1437(d))).

Issued at Washington, D.C. on October 1, 1979.

Lawrence B. Simons,
Assistant Secretary for Housing, Federal Housing Commissioner.

[FR Doc. 79-31075 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

REGION V

	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
MARQUETTE							
Det. & Semi-Det.	19,500	23,600	28,950	34,500	41,650	46,450	48,550
Row Dwellings	18,500	22,400	27,500	32,800	39,550	44,100	46,100
Walk-Up	16,600	20,050	24,600	29,300	35,400	39,500	41,250
Elevator-Structure	28,000	32,750	41,200				
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							
	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

24 CFR Part 888**[Docket No. R-79-677]****Low Income Housing; Fair Market Rents for New Construction and Substantial Rehabilitation; Correction****AGENCY:** Office of Assistant Secretary for Housing-Federal Housing Commissioner, HUD.**ACTION:** Correction of final rule.

SUMMARY: The annual revision of Section 8 Fair Market Rents for new construction and substantial rehabilitation which was published on Friday, July 13, 1979 (FR Docket No. R-79-677) contained a note to Schedule A which is being corrected.

EFFECTIVE DATE: April 1, 1979.

FOR FURTHER INFORMATION CONTACT: Edward M. Winiarski, Supervisory Appraiser, Valuation Branch, Technical Support Division, Office of Multifamily Housing Development, 451 7th Street, SW., Washington, D.C. 20410, 202-755-5743. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The note to Part 888, Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies Program) in the final rule of July 13, 1979, did not express HUD's intent concerning Fair Market Rents for units designed for the elderly or handicapped. HUD is amending the note to permit the Fair Market Rents for all sizes of units designed for the handicapped to be computed by multiplying 1.05 by the published Fair Market Rent. The 1.05 adjustment for units designed for the elderly applies only to efficiency, 1- and 2-bedroom units.

Accordingly, the note to Schedule A of Part 888 is revised to read as follows:

Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies Program)

These Fair Market Rents have been trended ahead to April 1, 1981, to allow time for processing and construction of proposed new construction and substantial rehabilitation Section 8 projects.

Note.—The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size units, not to exceed 2-bedrooms for the elderly, multiplied by 1.05 rounded to the nearest whole dollar, (2) congregate housing dwelling units are the same as for noncongregate units, and (3) single room occupancy dwelling units are those for 0-bedroom units of the same type.

Authority: Sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)).

Issued at Washington, D.C., October 1, 1979.

Lawrence B. Simons,
Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 79-31076 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE TREASURY**Internal Revenue Service****26 CFR Part 1****[T.D. 7633]****Valuation Date for Pooled Income Funds and Applicability of Separate Share Rule to Successive Interests in Trusts; Correction****AGENCY:** Internal Revenue Service, Treasury.**ACTION:** Final rule; correction.

SUMMARY: This document contains technical corrections to the Federal Register publication at 44 FR 42682 of the full text of the regulations which were the subject of Treasury Decision 7633, relating to certain valuation dates under section 642(c) of the Internal Revenue Code of 1954 and the application of the separate share rule of section 663(c) of the Code to successive interests in point of time.

EFFECTIVE DATES: The regulations dealing with pooled income funds are effective for transfers in trust made after July 31, 1969. The regulations involving separate shares apply in the case of taxable years ending after December 31, 1978.

FOR FURTHER INFORMATION CONTACT: Fred E. Grundeman of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR:T, 202-566-3287 (not a toll-free call).

SUPPLEMENTARY INFORMATION**Background**

On August 29, 1978, the Federal Register published a notice of proposed rulemaking (43 FR 38601) which proposed amendments to the Income Tax Regulations (26 CFR Part 1) under sections 642(c) and 663(c) of the Internal Revenue Code of 1954. On July 20, 1979, the Federal Register published Treasury Decision 7633 (FR Doc. 79-22432) at 44 FR 42681. The principal purposes of the amendments to the Income Tax Regulations made by the Treasury decision were to allow valuations under section 642(c) to be made, under certain circumstances, on the next preceding

day if a trustee desires, and to limit the application of the separate share rule under section 663(c) to concurrent trust shares for taxable years ending after December 31, 1978.

Treasury Decision 7633 also deleted §§ 1.663(a), 1.663(b), and 1.663(c) of the regulations because those sections merely reproduced provisions of the Internal Revenue Code of 1954.

Need for Correction

As published, the full text of the regulations which were the subject of Treasury Decision 7633 inaccurately limits the application of the separate share rule found in § 1.663(c)-3(e) to taxable years ending before December 31, 1978, rather than to such years ending before January 1, 1979, and does not delete the three regulations sections that merely reproduce statutory material.

In addition, the omission of asterisks in the material printed in the third column on 44 FR 42682 might lead to the mistaken belief that certain portions of § 1.642(c)-5 and § 1.663(c)-3 have been deleted.

Drafting Information

The principal author of these corrections was Fred E. Grundeman of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service.

Correction of Publication

Accordingly, the publication of the full text of the regulations which were the subject of FR Doc. 79-22432 (44 FR 42682) is corrected to read as follows:

Paragraph 1. Section 1.642(c)-5 is amended by revising paragraph (a)(5) (vi) to read as follows:

§ 1.642(c)-5 Definition of pooled income fund.

(a) * * *

(5) * * *

(vi) The term "determination date" means each day within the taxable year of a pooled income fund on which a valuation is made of the property in the fund. The property in the fund shall be valued on the first day of the taxable year of the fund and on at least 3 other days within the taxable year. The period between any two consecutive determination dates within the taxable year shall not be greater than 3 calendar months. In the case of a taxable year of less than 12 months, the property in the fund shall be valued on the first day of such taxable year and on such other days within such year as occur at successive intervals of no greater than 3 calendar months. Where a valuation date falls on a Saturday, Sunday, or

legal holiday (as defined in section 7503 and the regulations thereunder), the valuation may be made on either the next preceding day which is not a Saturday, Sunday, or legal holiday or the next succeeding day which is not a Saturday, Sunday or legal holiday, so long as the next such preceding day or next such succeeding day is consistently used where the valuation date falls on a Saturday, Sunday, or legal holiday.

Paragraph 2. Section 1.663(c)-3 is amended by revising paragraph (e) to read as follows:

§ 1.663(c)-3 Applicability of separate share rule.

(e) For taxable years ending before January 1, 1979, the separate share rule may also be applicable to successive interests in point of time, as for instance in the case of a trust providing for a life estate to A and a second life estate or outright remainder to B. In such a case, in the taxable year of a trust in which a beneficiary dies items of income and deduction properly allocable under trust accounting principles to the period before a beneficiary's death are attributed to one share, and those allocable to the period after the beneficiary's death are attributed to the other share. Separate share treatment is not available to a succeeding interest, however, with respect to distributions which would otherwise be deemed distributed in a taxable year of the earlier interest under the throwback provisions of subpart D (section 665 and following), Part I, subchapter J, chapter 1 of the Code. The application of this paragraph may be illustrated by the following example:

Example. A trust instrument directs that the income of a trust is to be paid to A for her life. After her death income may be distributed to B or accumulated. A dies on June 1, 1956. The trust keeps its books on the basis of the calendar year. The trust instrument permits invasions of corpus for the benefit of A and B, and an invasion of corpus was in fact made for A's benefit in 1956. In determining the distributable net income of the trust for the purpose of determining the amounts includible in A's income, income and deductions properly allocable to the period before A's death are treated as income and deductions of a separate share, and for that purpose no account is taken of income and deductions allocable to the period after A's death.

§§ 1.663(a), 1.663(b), and 1.663(c) [Deleted].

Paragraph 3. Sections 1.663(a), 1.663(b), and 1.663(c) are deleted.

Robert A. Bley,

Director, Legislation and Regulations Division.

[FR Doc. 79-31117 Filed 10-5-79; 8:45 am]

BILLING CODE 4830-01-11

DEPARTMENT OF JUSTICE

Office of the Attorney General

28 CFR Part O

[Order No. 855-79]

Delegation to Deputy Attorney General of Power To Appoint Assistant U.S. Trustees and To Approve Appointment of Standing Trustees

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: Sections 582 and 587 of Title 28, U.S. Code, as added by section 224 of the Bankruptcy Reform Act of 1978, Pub. L. 95-598, 92 Stat. 2663, authorize the Attorney General to appoint one or more assistant United States trustees in any district when the public interest so requires, and to fix their compensation. Section 586 (b) and (e) of title 28, U.S. Code, as added by Section 224 of the Bankruptcy Reform Act of 1978, Pub. L. 95-598, 92 Stat. 2663, authorizes the Attorney General to approve the appointment by a United States trustee of one or more individuals to serve as standing trustee in cases arising under Chapter 13 of Title 11 and, after consultation with the United States trustee, to fix the compensation of such standing trustee as provided in 28 U.S.C. § 586(e). This order delegates these functions to the Deputy Attorney General.

EFFECTIVE DATE: October 1, 1979.

FOR FURTHER INFORMATION CONTACT: Richard L. Levine, Director of the Executive Office for United States Trustees, U.S. Department of Justice, Washington, D.C. 20530 (202-633-5122).

By virtue of the authority vested in me by 5 U.S.C. 301 and 28 U.S.C. 509 and 510, § 0.15 of Subpart C of Part O of Chapter I of Title 28, Code of Federal Regulations, is hereby amended by the addition of paragraph (b)(3) (iii) and (iv) as follows:

§ 0.15 Deputy Attorney General.

(b) the Deputy Attorney General shall advise and assist the Attorney General in formulating and implementing Department policies and programs and

in providing overall supervision and direction of certain organizational units of the Department, as provided in this chapter, and shall:

(3) Exercise the power and authority vested in the Attorney General and in the Law Enforcement Assistance Administration to take final action in matters pertaining to:

(i) The employment, separation, and general administration of personnel in General Schedule grades GS-16 through GS-18, or the equivalent, and of attorneys regardless of grade or pay, in organizational units subject to his supervision or direction,

(ii) The appointment of Assistant U.S. Attorneys and other attorneys to assist U.S. Attorneys when the public interest so requires, and fixing their salaries,

(iii) The appointment of assistant United States trustees when the public interest so requires, and fixing their compensation, and

(iv) The approval of the appointment by a United States trustee of one or more individuals to serve as standing trustee in cases arising under Chapter 13 of Title 11, and after consultation with the United States trustee, fixing the compensation for such standing trustee as provided in 28 U.S.C. 586(e).

Dated: October 1, 1979.

Benjamin R. Civiletti,
Attorney General.

[FR Doc. 79-31136 Filed 10-5-79; 8:45 am]

BILLING CODE 4410-01-11

28 CFR Part 50

[Order No. 857-79]

Revision of Regulations Concerning Consent Judgments.

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This is an amendment of the regulations covering proposed consent judgment in antitrust cases. Section 50.1, Consent judgment policy, is revoked because it has been superseded by the Antitrust Procedures and Penalties Act, 15 U.S.C. 16. Section 50.13(c) is amended to substitute "Office of Operations" for "Judgments and Judgment Enforcement Section." The Assistant Attorney General, Antitrust Division, has assigned to the Office of Operations responsibility for reviewing and approving responses to written comments on proposed consent judgments received pursuant to the Antitrust Procedures and Penalties Act.

EFFECTIVE DATE: September 28, 1979.

FOR FURTHER INFORMATION CONTACT: Joseph H. Widmar, Director, Office of Operations, Antitrust Division, Department of Justice, Washington, D.C. 20530. Telephone: (202) 633-3543.

By virtue of the authority vested in me by 28 U.S.C. 509 and 510, 5 U.S.C. 301, and 15 U.S.C. 16(d), Part 50 of Chapter I of Title 28, Code of Federal Regulations, is amended as follows:

§ 50.1 [Revoked]

1. Section 50.1 of Part 50 is revoked.
2. Section 50.13(c) is revised to read as follows:

* * * * *

§ 50.13 Procedures for receipt and consideration of written comments submitted under subsection 2(b) of the Antitrust Procedures and Penalties Act.

* * * * *

(c) Proposed responses shall be reviewed and approved by the Office of Operations of the Antitrust Division prior to being issued.

Dated: September 28, 1979.

Benjamin R. Civiletti,
Attorney General.

[FR Doc. 79-31135 Filed 10-5-79; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Ch. VII

Surface Mining Reclamation and Enforcement Permanent Regulatory Program

Correction

In FR Doc. 79-28717, appearing at page 53740 in the issue of Monday, September 17, 1979, the fourth from bottom line in column one on page 53741 should read, "in 30 CFR 776.11, 776.12, 776.13(b) and".

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CCGD3-79-14-R]

33 CFR Part 127

Establishment of Security Zone in Hudson River, New York, N.Y.

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment to the Coast Guard's Security Zone regulations,

establishes a portion of the waters of the Hudson River in New York, New York as a security zone. This security zone is established to safeguard the 30th Street Heliport and surrounding waters during the visit of the President of the United States to New York City. No vessel may enter or remain in a security zone without the permission of the Captain of the Port.

EFFECTIVE DATE: This amendment is effective on September 25, 1979.

FOR FURTHER INFORMATION CONTACT: Captain J. L. Fleishell, Captain of the Port, New York, Building 109, Governors Island, New York 10004, (212) 688-7917.

SUPPLEMENTARY INFORMATION: This amendment is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from date of publication because the short time between scheduling of the event and its occurrence made such procedures impracticable. Local public notice has been given.

DRAFTING INFORMATION: The principal persons involved in drafting this rule are: Lieutenant Junior Grade Del Bueno, Project Manager, Captain of the Port, New York, New York; and Lieutenant Donlon, Project Attorney, Legal Office, Third Coast Guard District, New York, New York.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.370 to read as follows:

§ 127.370 Hudson River, New York, N.Y.

The waters of the Hudson River, New York, within 400 yards of the 30th Street Heliport are a security zone from 2:30 p.m., E.D.S.T., September 25, 1979, to 3:45 p.m., E.D.S.T., September 25, 1979. (40 Stat. 220, as amended (50 U.S.C. 191); SEC. 1, 63 Stat. 503 (14 U.S.C. 91); Sec. 6. (b)(1), 80 Stat. 937 (49 U.S.C. 1655)(b)(1); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp. 356, 778, 873, 3 CFR, 1964-1965 Comp. 349, (33 CFR Part 6), (49 CFR 1.46(b)).

Dated: September 20, 1979.

J. L. Fleishell,
Captain, U.S. Coast Guard, Captain of the Port, New York.

[FR Doc. 79-31139 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 147

[CCGD11-79-05r]

Establishment of Safety Zones Around Structures Being Constructed on the Outer Continental Shelf (OCS)

AGENCY: Coast Guard, Department of Transportation.

ACTION: Final rule.

SUMMARY: This document amends a Final Rule previously published in the Federal Register on August 23, 1979. This action disestablishes the emergency OCS safety zone established around platform HENRY and modifies the regulations for the emergency safety zone around platform GRACE to allow vessels under 200 Gross Tons without tows to navigate within it. The emergency safety zone around platform HENRY is disestablished since there is no longer an imminent danger to the platform, its appurtenances and attending vessels and on the adjacent waters. The modification of the regulations concerning the emergency safety zone around platform GRACE is based on a study conducted by the Commander, Eleventh Coast Guard District relative to those vessels which may safely navigate in the vicinity of Outer Continental Shelf structures and a determination that to continue the regulations in effect during the installation of platform GRACE would be unnecessary.

EFFECTIVE DATE: This action is effective on and after August 23, 1979.

ADDRESSES: Comments should be submitted to, and are available for examination at the office of the Commander, Eleventh Coast Guard District (dj), Suite 911, Union Bank Building, 400 Oceangate, Long Beach, CA 90822. Also, the study conducted by the Commander, Eleventh Coast Guard District relative to the size of vessels which may navigate in the vicinity of OCS structures referenced in the discussion of this rulemaking is available at the same address.

FOR FURTHER INFORMATION CONTACT: Lt. Robin A. Wendt, Project Manager, Eleventh Coast Guard District Hearing Officer, Eleventh Coast Guard District, Union Bank Building, Suite 911, 400 Oceangate, Long Beach, CA 90822, Telephone 213-590-2301.

SUPPLEMENTARY INFORMATION: Although this regulation change is published as a final rule, interested persons are invited to comment on the decision of the District Commander to permit vessels of less than 200 gross tons without tows to enter the safety zone. Each person submitting a comment should identify his name and address, identify the Rule (CCGD11-79-05r) and give reasons for any recommendations. Comments should be received on or before November 26, 1979. All comments received before that date will be considered and the regulation may be subject to further modification.

Discussion

On August 23, 1979, the Commander Eleventh Coast Guard District published a Final Rule advising that emergency OCS safety zones around platforms GRACE and HENRY, both structures in the Santa Barbara Channel, had been established. The Commander, Eleventh Coast Guard District had determined that the establishment of safety zones and regulations was necessary to promote safety of life and property on the structures, their appurtenances and attending vessels, and on the adjacent waters during the installation and construction periods. Further, he had determined that without the establishment of emergency safety zones, an imminent danger would exist.

An emergency safety zone of 500 meters was established around platform GRACE. Platform GRACE is within 2 nautical miles of the Santa Barbara Channel (SBC) Traffic Separation Scheme (TSS) and is between the SBC TSS and the Carpenteria Offshore Tanker Mooring. Thus it is in close proximity to significant marine traffic. During the installation phase of the platform, all vessels were prohibited within the safety zone except those directly involved in the installation and authorized by the structure operator, or any other vessel authorized by the Commander, Eleventh Coast Guard District.

The installation phase ended 23 August 1979. However, until 30 November 1979, platform GRACE will be under further construction. During this period and the subsequent initial operational phase numerous vessels will be attending the structure. Larger vessels passing within the safety zone would present potential safety hazards, in particular that of a collision with the structure or the attending vessels. Therefore, the Commander, Eleventh Coast Guard District has determined that the safety zone is still necessary to promote safety of life and property on the structure, its appurtenances and attending vessels and on the adjacent waters during the construction and initial operational periods, which follow the installation phase. Absent this action an imminent danger would exist.

However, it is felt that to continue the prohibition against all vessels entering the safety zone would be unnecessary and would amount to over-regulation. The District Commander has determined that the imminent hazard remains only as to vessels of 200 gross tons and over and all other vessels with a tow. Accordingly, this document modifies the regulations affecting the safety zone around platform GRACE to allow only

vessels of less than 200 gross tons without a tow, vessels directly involved in the construction of the structure, vessels which normally attend the structure, or vessels authorized by the Commander, Eleventh Coast Guard District to enter the zone. The description of the safety zone is also modified from a circle of 500 meters radius around the construction site effective during the installation phase, to an area within 500 meters from the structure's outer edge. Since the completion of the installation phase of platform GRACE on 23 August 1979, vessels of less than 200 gross tons without tows have entered the zone without causing any safety hazards. The figure of 200 gross tons was a result of a separate study conducted by the Commander, Eleventh Coast Guard District subsequent to the Advance Notice of Proposed Rulemaking on permanent OCS safety zones in waters off Southern California for the purpose of assisting in the establishment of those permanent safety zones and their appropriate regulations. (See Advanced Notice of Proposed Rulemaking, CGD11-79-01, 44 Fed. Register 10399, 20 FEB 1979). Although platform GRACE will be included in the proposed rulemaking establishing permanent OCS safety zones, those regulations will not be in effect at least until mid 1980 and these emergency regulations are issued pending the completion of the permanent rulemaking process. Public comment is invited as to the decision to permit vessels of less than 200 gross tons without tows to enter the emergency safety zone.

The installation phase of platform HENRY ended on 23 August 1979. Like platform GRACE, an emergency safety zone was deemed necessary during that phase. Now that the structure operators have passed into the construction phase, no imminent danger exists. Platform HENRY is a structure sited in close proximity to eight other structures and though a permanent safety zone appears to be an appropriate safety measure for HENRY as well as for the other platforms, it would be premature to establish one now. The Commander, Eleventh Coast Guard District will consider Safety Zones for platform HENRY and the eight other structures in the rulemaking which will allow for public input. This decision was made because even though these structures are in areas of significant marine traffic some of which carries hazardous materials, the eight structures in place before HENRY was installed created no imminent danger and have coexisted with shipping to date without incident.

In consideration of the foregoing, Title 33, Code of Federal Regulations, Part 147 is amended as follows:

1. Section 147.05-11.01 is revised to read as follows:

§ 147.05-11.01 Platform Grace safety zone, Santa Barbara Channel.

(a) *Description:* A circle 500 meters from each point on the structure's outer edge. The position of the center of the structure is 34°-10'-47" N, 119°-28'-05" W.

(b) *Regulations:* No vessel may enter or remain in this safety zone except the following: (1) Vessels under 200 gross tons without a tow, (2) vessels directly involved in the construction of platform GRACE, (3) vessels which normally attend platform GRACE, or (4) vessels authorized by the Commander, Eleventh Coast Guard District.

(c) *Effective Date:* This safety zone and its related regulations, as modified are effective on and after 23 August 1979.

§ 147.05-11.02 [Revoked]

2. Section 147.05-11.02 is revoked.

Sec. 633, 63 Stat. 545, Sec. 4(e)(1), 67 Stat. 463, Sec. 6(b)(1), 80 Stat. 938; 14 USC 633; 43 USC 1333(e)(1), 49 USC 1655(b)(1); 49 CFR 1.46(b); 33 CFR 147.01, in conformance with paragraphs 2, 3, 6 and 7 of Article 5, Convention on the Continental Shelf (TIAS 5578) and Article 2, Convention on the High Seas (TIAS 5200).

H. W. Parker,

Rear Admiral, U.S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 79-31122 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[CCGD3-79-13-R]

Establishment of Safety Zone in Atlantic Ocean and Moriches Bay in the Vicinity of Moriches Inlet, N.Y.

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment to the Coast Guard's Safety Zone Regulations establishes a portion of the waters of the Atlantic Ocean, Moriches Bay and Moriches Inlet as a Safety Zone. This Safety Zone is established to protect vessels from possible damage due to demolition and salvage operations on a submerged wreck ½ mile southwest of Moriches Inlet, New York. No vessel may enter or remain in a Safety Zone without the permission of the Captain of the Port.

EFFECTIVE DATE: This amendment is effective on September 20, 1979 till October 2, 1979.

FOR FURTHER INFORMATION CONTACT: Captain J. L. Fleishell, Captain of the Port, New York, Building 109, Governors Island, New York, New York (212) 668-7917.

SUPPLEMENTARY INFORMATION: This information is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from the date of publication because the short time between scheduling of the event and its occurrence make such procedures impractical. Extensive local public notice has been given.

DRAFTING INFORMATION: The principle persons involved in drafting this rule are: Lieutenant Junior Grade Del Bueno, Project Manager, Captain of the Port, New York, New York; and Lieutenant Donlon, Project Attorney, Legal Office, Third Coast Guard District, New York, New York.

In consideration of the foregoing, Part 165 of Title 33 of the Code of Federal Regulations is amended by adding § 165.309 to read as follows:

§ 165.309 **Waters of the Atlantic Ocean, Moriches Bay and Moriches Inlet.**

A Safety Zone is established within an area of 1 mile radius from center position 40°45'45"N, 72°45'48"W from 6:00 a.m., E.D.S.T., 20 September 1979 to 4:00 p.m., E.D.S.T., 2 October 1979.

(92 Stat. 1475 [33 U.S.C. 1225]; 49 CFR 1.46(n)(4))

Dated: September 20, 1979.

J. L. Fleishell,
Captain, U.S. Coast Guard, Captain of the Port, New York.

[FR Doc. 79-31138 Filed 10-5-79; 8:45 am]
BILLING CODE 4910-14-M

33 CFR Part 165

[CCGD8-79-01]

Safety Zone—Approximately 10-Mile Length of Houston Ship Channel From Light 150 (LLNR 3054) to Baytown Bend Light 113 (LLNR 3004)

AGENCY: U.S. Coast Guard, DOT.

ACTION: Final Rule.

SUMMARY: This amendment to the Coast Guard's Safety Zone Regulations establishes an approximately ten-mile length of the Houston Ship Channel between Houston and Galveston, Texas, as a safety zone. This safety zone is established to protect the waters involved from further environmental harm by facilitating the work of personnel and equipment engaged in cleaning up pollution which resulted from an incident occurring on or about

September 1, 1979. The effect of this action is to allow the Coast Guard Vessel Traffic Service Houston/Galveston to control entry and transit of the zone by all vessels. This Federal Register entry restates the Eighth Coast Guard District Notice to Mariners Number 4827-79 and Marine Safety Broadcasts.

DATES: This amendment is effective from September 4, 1979 until completion of the pollution cleanup activities on or about September 24, 1979, but in any event, not later than September 30, 1979.

FOR FURTHER INFORMATION CONTACT: Lt H. Lee, C/O U.S. Coast Guard Captain of the Port, P.O. Box 446, Galena Park, TX 77547. Tel: (713) 672-6630/9.

SUPPLEMENTARY INFORMATION: This amendment is issued without publication of a notice of proposed rule making and is effective in less than 30 days from the date of publication; these public procedures are impractical, because delay in establishing the zone would seriously hamper the safety, and effectiveness of the pollution cleanup activities.

DRAFTING INFORMATION: The principal person involved in the drafting of the rulemaking is S. W. CRAWFORD, GENERAL ATTORNEY, Commander, Eighth Coast Guard District, Hale Boggs Federal Building, 500 Camp Street, New Orleans, LA 70130.

In consideration of the above, Part 165 of Title 33 of the Code of Federal Regulations is amended by adding § 165.801 to read as follows:

§ 165.801 **Vicinity from Light 150 (LLNR 3054) to Baytown Bend Light 113 (LLNR 3004), Houston Ship Channel.**

(a) The waters of the Houston Ship Channel from Light 150 (LLNR 3054) to Baytown Bend Light 113 (LLNR 3004) constitutes a safety zone.

(b) Vessel traffic in the safety zone described in paragraph (a) of this section is permitted only as follows: Upon receipt of permission from the Officer of the Day, Coast Guard Vessel Traffic Service Center, Tel: (713) 674-8488 and Channel 12 (156.600 Mega Hertz) and Channel 13 (156.650 Mega Hertz) a vessel may enter and transit the zone outbound 0000-1200 local time daily. With similar permission, a vessel may enter and transit inbound from 1200-2400 local time daily. All vessels shall maintain a minimum of one mile spacing and shall proceed at the slowest safe speed while in the safety zone.

(92 Stat. 1475 [33 U.S.C. 1225]; 49 CFR 1.46 (N) (4).)

Dated: September 15, 1979

Ralph W. H. Bartels,
Captain, U.S. Coast Guard Captain of the Port, Houston, TX.

[FR Doc. 79-31123 Filed 10-5-79; 8:45 am]
BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81.

[FRL 1335-2]

Attainment Status Designations; Ohio

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This rulemaking changes the attainment status for Mahoning and Trumbull Counties in Ohio from nonattainment to attainment of the National Ambient Air Quality Standards (NAAQS) for sulfur dioxide. On May 31, 1979, this redesignation was proposed in the Federal Register (44 FR 31237) and a 30-day public comment period was established.

EFFECTIVE DATE: November 8, 1979.

FOR FURTHER INFORMATION CONTACT: Debra Costello, Paralegal, Air Programs Branch, U.S. Environmental Protection Agency, Region V, 230 S. Dearborn Street, Chicago, Illinois 60604, (312) 886-6048.

SUPPLEMENTARY INFORMATION: The Clean Air Act Amendments of 1977 added section 107(d) to the Clean Air Act which directed each State to submit to the Administrator of the Environmental Protection Agency (EPA) a list of the NAAQS attainment status of all areas within the State. The Administrator was required to promulgate the State lists, with any necessary modifications. The Administrator published these lists in the Federal Register on March 3, 1978 (43 FR 8962), and invited the public to comment by May 2, 1978. EPA received 20 comments on designations in Ohio. In response to these comments EPA made necessary amendments to the Ohio designations and published them in the Federal Register on October 5, 1978 (43 FR 45993). As explained in the March 3, 1978, notice area designations are subject to revision whenever sufficient data becomes available to warrant a redesignation.

On November 9, 1978, the Youngstown Sheet and Tube Company petitioned EPA to reclassify Mahoning County as attainment for sulfur dioxide. The request was based on air quality

monitoring data for 1977 and 1978 which demonstrate attainment. There has been a significant decrease in sulfur dioxide concentrations in the area, following shutdown of a major portion of Youngstown's Mahoning County facilities in September of 1977. The data were not available when the original nonattainment designation was made.

EPA received Youngstown's petition and asked the State of Ohio for its recommendation. On March 7, 1979, the OEPA recommended that the area be reclassified as attainment based on the additional air monitoring data for 1977 and 1978.

On May 31, 1979, U.S. EPA proposed in the Federal Register (44 FR 31238) the redesignation of these areas. A 30-day period for public comment was established. During that period no public comments were received regarding this revision.

Therefore, based upon the new monitoring data, the information submitted by Youngstown Sheet and Tube, and the State of Ohio's agreement that this is now an attainment area, U.S. EPA is promulgating the redesignation of those portions of Mahoning and Trumbull Counties which were previously designated nonattainment, as areas which are now attaining the sulfur dioxide standards.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Part 81 of Chapter I, Title 40, Code of Federal Regulations is amended as follows:

Section 81.336 is amended as follows:

§ 81.336 Ohio.

* * * * *

Ohio-Sulfur Dioxide

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
Mahoning...	*	*	*	X
Trumbull...	*	*	*	X

[Sec. 107(d), 171(2), 301(a) of the Clean Air Act as amended (42 U.S.C. 7407(d), 7501(2), 7601(a))]

Dated: September 28, 1979.

Douglas M. Costle,
Administrator.

[FR Doc. 79-31064 Filed 10-5-79; 8:45 am]

BILLING CODE 6560-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

49 CFR Part 801

Public Availability of Information, Appendix—Fee Schedule

Correction

In FR Doc. 79-30376 appearing at page 56340 in the issue for Monday, October 1, 1979, on page 56341, in the second column, under the heading Appendix—Fee Schedule (5), the Note should read as follows:

Note.—Send subscription orders for (a)(1), (a)(2), and (a)(5) above to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594. Subscription orders for (a)(3) and (4), above, should be forwarded to the National Technical Information Service, 5285 Port Royal Road, Springfield, Va. 22161.

Under the heading of Current fees are: in the third column, the chart should appear as follows:

(a) Photocopy:

Size (in inches):	
8 1/2 by 11	\$0.07
8 1/2 by 1407
10 by 1401

(b) Photographic prints:

Size (in inches):	
8 by 10 black/white	\$1.00
3 1/2 by 5 color	1.00
5 by 7 color	1.50
8 by 10 color	1.50
2 by 2 color slide	2.00

BILLING CODE 1505-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1322

[Ex Parte No. MC-1]

Payment of Rates and Charges of Motor Carriers

AGENCY: Interstate Commerce Commission.

ACTION: Notification of Authority Citations.

SUMMARY: At 44 FR 10603, February 22, 1979, the Interstate Commerce Commission deleted an obsolete provision from its regulations governing the extension of credit to shippers by motor carriers. The deleted provision was not and is not now in effect because the Commission stayed the order adopting it. This document adds the authority citations under which the provision was deleted.

FOR FURTHER INFORMATION CONTACT: Harvey Gobetz, (202) 275-7656.

SUPPLEMENTARY INFORMATION: The proper authority citations for the rule document published at 44 FR 10603 which amended 49 CFR Part 1322 by deleting and reserving paragraph (b) of § 1322.1 are as follows: (49 U.S.C. 10321, 10704, and 10743; 5 U.S.C. 553, 559.)

Dated: September 28, 1979.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-31023 Filed 10-5-79; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register

Vol. 44, No. 198

Tuesday, October 9, 1979

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 20

Timing of Export Sales Reporting

AGENCY: Office of the General Sales Manager, USDA.

ACTION: Proposed rulemaking.

SUMMARY: The proposed rule will amend the export sales reporting regulations as part of an effort to provide a shorter period of time between the making of export sales transactions and the inclusion of such transactions in the compilation of export sales published weekly by this Department. The rule is being proposed in response to a recommendation of the Advisory Committee on Export Sales Reporting and is intended to increase the usefulness of the information made available to the public.

DATE: In order to be considered, written comments must be received on or before December 10, 1979.

ADDRESS: Mail all written comments to the Director, Export Sales Division, Office of the General Sales Manager, U.S. Department of Agriculture, Room 4919-South Building, Washington, D.C. 20250. All written comments made pursuant to this notice will be available for public inspection at the above address during business hours from 8:15 a.m. to 4:45 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Richard J. Finkbeiner, Director, Export Sales Division, OGSM, Room 4919-South Agriculture Building, Washington, D.C. 20250, telephone (202) 447-5651.

SUPPLEMENTARY INFORMATION: The Advisory Committee on Export Sales Reporting recommended that, in order to increase the usefulness of the information made available to the public, the time interval be reduced between the making of an export sale transaction and the inclusion of the sale in the published weekly compilation of

export sales. At the present time, the regulations require exporters to file their reports by noon Thursday of reportable transactions as of midnight of the preceding Sunday. The Department's weekly compilation of such reports are published on Thursday of the following week.

To determine the feasibility of the various changes which might be made to implement the recommendation, a study was conducted, during which a questionnaire was distributed to all reporting exporters. The responses to the questionnaire were based on the stated assumption that reportable export sales information would have to be received by the Department by 4:45 p.m., eastern time on Tuesday of any particular week for compilation and publication in the Department's weekly export sales report to be issued on Friday of the same week.

Responses to the questionnaire were submitted by 61 percent of the active exporters, representing 73 percent of the export sales reports processed. No significant opposition to the proposed change was expressed. Several exporters recommended that the period covered by sales included in the weekly reports be ended on the preceding Friday rather than Sunday, as has been the case, since few transactions are concluded on the weekend. This suggestion has been incorporated into this proposal.

With respect to the preference for alternative methods for transmitting the information required to be reported, there was an almost even division of those responding between express mail, telephone and telex. These three methods of transmission predominated over all others. The proposal provides for use of these alternative methods.

The definition of "export-sale" is being amended to make it clear that export sales transactions are considered to have been made as soon as the buyer and the seller have agreed upon terms, which according to trade contracting practices, is the time when the trader documents are prepared by the parties, rather than when the written contract is subsequently signed. This is the manner in which it was intended that the present definition be construed and most exporters appear to be presently reporting on this basis.

Proposed Rule

In consideration of the foregoing, it is proposed to amend Part 20 of 7 CFR as follows:

1. The second sentence of § 20.4(h) is amended to read as follows:

§ 20.4 Definitions.

 (h) "Export Sale" *** The transaction must be represented by a written document evidencing that (1) the exporter agrees to export the commodity, (2) the foreign buyer agrees to receive the commodity, (3) a fixed price or an agreed upon mechanism by which such a price can be determined is established, and (4) payment will be made to or for the account of the reporting exporter by or on the behalf of the foreign buyer for delivery of the commodity.***

2. Section 20.6(a) is amended by adding at the end of paragraph (a) a new sentence and by amending subsection (k) as follows:

§ 20.6 Submission of reports.

(a) *Weekly reports.* *** If the reporting exporter determines that his report forms cannot be received in the office specified in § 20.10 by the time specified in paragraph (k) of this section he shall make an initial report by transmitting the information contained in the report forms by the use of telephone, telex, TWX, Western Union telegram or facsimile. The required form must be subsequently submitted in accordance with § 20.6(k)(2).

(k) *Manner and time of reporting.*—(1) *Manner.* All report forms must be filed in an original with the office specified in § 20.10. Each report form shall contain the full business name, address and telephone number of the reporting exporter and the name and original signature of the person submitting the report form on behalf of the reporting exporter. Computer generated printout may be used in lieu of standard reporting forms when approved by the office specified in § 20.10.

(2) *Time of filing reports.* Information required to be reported weekly must be received in the office specified in § 20.10 no later than 4:45 p.m., Washington, D.C. time on each Tuesday, or such other time as may be approved in advance by that office, setting forth the required

marketing year, and (3) conduct a referendum of farmers engaged in the 1979 production of flue-cured tobacco to determine whether they favor or oppose quotas for the 1980-81, 1981-82, and 1982-83 marketing years.

The Act provides that these actions shall be taken on or before December 1, 1979. The referendum shall be conducted within 30 days after the proclamation.

The Act defines the "reserve supply level" as five percent greater than the "normal supply". The "normal supply" is defined as a normal year's domestic consumption and exports plus 175 percent of a normal year's domestic use and 65 percent of a normal year's exports. A "normal year's domestic consumption" is defined as the average quantity produced and consumed in the United States during the ten marketing years immediately preceding the marketing year in which the quota must be announced, adjusted for current trends in such consumption. A "normal year's exports" is defined as the average quantity produced in and exported from the United States during the ten marketing years immediately preceding the marketing year in which the quota must be announced, adjusted for current trends in such consumption.

The reserve supply level for the 1979-80 marketing year was determined to be 2,811 million pounds. This was based on a normal year's domestic consumption of 655 million pounds and a normal year's exports of 531 million pounds (43 FR 56874). The proposed reserve supply level for the 1980-81 marketing year is 2,623 million pounds, based on a normal year's domestic consumption of 585 million pounds and a normal year's exports of 539 million pounds.

The Act (7 U.S.C. 1301(b)) defines "total supply" as the carryover at the beginning of the marketing year (July 1) plus the estimated production in the United States during the calendar year in which the marketing year begins. The total supply for the 1979-80 marketing year is 3,139 million pounds based on carryover of 2,074 million pounds and estimated production of 1,065 million pounds.

The Act (7 U.S.C. 1314c(a)) defines the "National Marketing Quota" for any kind of tobacco for a marketing year as the amount of that kind of tobacco produced in the United States which the Secretary estimates will be used domestically and exported during the marketing year, adjusted upward or downward in an amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. The

maximum downward adjustment is 15 percent of estimated domestic use and exports.

The amount of flue-cured tobacco produced and utilized domestically during the 1978-79 marketing year was 583 million pounds, and the amount exported was 599 million pounds, farm sales weight basis. The amount of the national marketing quota for the 1979-80 marketing year is 1,095 million pounds, based upon estimated domestic utilization of 605 million pounds and exports of 535 million pounds, with a downward adjustment of 45 million pounds for effecting an orderly reduction of supplies to the reserve supply level (43 FR 56874). For the 1980-81 marketing year utilization in the United States is estimated to be about 555 million pounds and exports are estimated to range between 540 and 500 million pounds depending on the 1980 quota. The total supply for the 1979-80 marketing year is 516 million pounds more than the proposed reserve supply level, but the amount of the adjustment desirable for maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level is still being considered.

The Act (7 U.S.C. 1314c(a)) defines the "National average yield goal" for any kind of tobacco as the yield per acre which on a national average basis the Secretary determines will improve or insure the usability of the tobacco and increase the net return per pound to the growers. In making this determination the Secretary shall give consideration to such Federal-State production research data as he deems relevant. The national average yield goal for the 1965-66 and each subsequent marketing year was determined to be 1,854 pounds, and historically the Secretary has proposed at the onset of the comment period that no change in the National Average Yield Goal be instituted for the coming year.

However, the Secretary is considering increasing the National Average Yield Goal for the 1980-81 marketing year. He has already requested comments and recommendations from the land grant colleges in the producing areas concerning the amount of the National Average Yield Goal. The comments range from no change (leaving it at 1,854 pounds per acre) to a National Average Yield Goal of 2,500 pounds per acre.

The Act (7 U.S.C. 1314c(a)) defines the "National acreage allotment" as the acreage determined by dividing the national marketing quota by the national average yield goal. The national acreage allotment for the 1979-80 marketing year was determined to be 590,614.89 acres (43 FR 56874).

A national acreage factor for apportioning the national acreage allotment to old farms will be determined by dividing the national acreage allotment, less the reserve for new farms and old farms, corrections and adjustments by the sum of the 1979 allotments for 1980 old farms prior to adjustments for overmarketings or undermarketings and reductions required for violations. The national acreage factor for the 1979-80 marketing year was .98 (43 FR 56874).

A national yield factor will be obtained by dividing the national average yield goal by the national average yield. The national average yield is computed by multiplying the preliminary farm yield for each farm by the acreage allotment determined for the farm prior to adjustments for overmarketings, undermarketings, or reductions required for violations, adding the products, and dividing the sum of the products by the national acreage allotment. The national yield factor for the 1979-80 marketing year was .9312 (43 FR 56874).

The Act (7 U.S.C. 1314c(e)) provides that for each marketing year for which acreage-poundage quotas are in effect a reserve may be established from the national acreage allotment in an amount equivalent to not more than one percent of the national acreage allotment to be available for making corrections of errors in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms, which are farms on which no tobacco was produced or considered produced during the immediately preceding five years. A reserve of 500 acres was established for the 1979-80 marketing year (43 FR 56874). A similar reserve is proposed for the 1980-81 marketing year.

The Act (7 U.S.C. 1314c(g)) provides that if the Secretary, in his discretion, determines it is desirable to encourage the marketing of grade N2 tobacco, or any grade of tobacco not eligible for price support, in order to meet the normal demands of export and domestic markets, he may authorize the marketing of such tobacco without the payment of penalty or deduction from subsequent quotas to the extent of 5 percent of the marketing quota for the farm on which the tobacco was produced. This has never been authorized under the acreage-poundage program and is not proposed for the 1980-81 marketing year.

Proposed Rule

The subject and issues involved in the proposed determinations are:

- (1) The amount of the reserve supply level.

(2) The amount of the national marketing quota for the 1980-81 marketing year.

(3) The amount of the national average yield goal.

(4) The amount of acreage to be reserved from the national acreage allotment for making corrections in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms.

(5) Whether the Secretary should implement the provision relating to N2 or other grades of tobacco not eligible for price support.

(6) The date or period of the referendum on quotas for the 1980-81, 1981-82, and 1982-83 marketing years for flue-cured tobacco, and whether the referendum should be conducted at polling places rather than by mail ballot (31 FR 12011).

The amount of the national acreage allotment, the national acreage factor and the national yield factor are not considered issues in these determinations because they result from mathematical computations based on the determinations outlined in issues (1) through (4) in the preceding paragraph.

The community average yields as computed in 1965 (30 FR 6207, 9875, 14487), will be used for the 1980-81 marketing year. All written submissions will be made available for public inspection from 8:15 a.m. to 4:45 p.m. Monday through Friday, in Room 3741-South Building, 14th and Independence Avenue, SW, Washington, D.C.

This amendment has not been classified "significant" and is being published under emergency procedures, as authorized by Executive Order 12044 and Secretary's Memorandum No. 1955, without a full 60-day comment period. It has been determined by Jerome F. Sitter that a emergency situation exists which warrants less than a full 60-day comment period on this proposal because the quota for the 1980-81 flue-cured tobacco marketing year and related actions are required by statute to be announced by December 1, 1979. Accordingly, comments must be received by November 15 in order to be sure of consideration.

An approved draft Impact Analysis is available from Robert L. Tarczy, Price Support and Loan Division, Room 3741 South Building, P.O. Box 2415, Washington, D.C. 20013.

Signed at Washington, D.C., on October 2, 1979.

John W. Goodwin,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 79-31207 Filed 10-5-79; 8:45 am]

BILLING CODE 3410-05-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 79-RM-24]

Alteration of Control Zone and Transition Areas; Colo. Springs, Colorado

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice of proposed rulemaking (NPRM) proposes to alter the Colorado Springs, Colorado control zone and 700' and 1,200' transition areas. This proposal is necessary to provide additional controlled airspace to contain the new instrument landing system (ILS) runway 17 standard instrument approach developed for the City of Colorado Springs Municipal Airport, Colorado Springs, Colorado.

DATES: Comments must be received on or before November 1, 1979.

ADDRESSES: Send comments on the proposal to: Chief, Air Traffic Division, Attn: ARM-500, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010.

FOR FURTHER INFORMATION CONTACT: Pruett B. Helm, Airspace and Procedures Specialist, Operations, Procedures and Airspace Branch (ARM-530), Air Traffic Division, Federal Aviation Administration, Rocky Mountain Region, 10455 East 25th Avenue, Aurora, Colorado 80010, telephone (303) 837-3937.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010. All communications received will be

considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The Federal Aviation Administration is considering an amendment to subpart F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the control zone and 700' and 1,200' transition areas at Colorado Springs, Colorado. The present control zone and 700' and 1,200' transition areas are inadequate in size to contain the new ILS runway 17 standard instrument approach procedure developed for the City of Colorado Springs Municipal Airport, Colorado Springs, Colorado. Accordingly, the Federal Aviation Administration proposed to amend subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

By amending subpart F, § 71.171 so as to alter the following control zone to read:

Colorado Springs, Colorado

Within a 6.5-mile radius of the City of Colorado Springs Municipal Airport (latitude 38°48'35" N., longitude 104°42'20" W.); within 2 miles each side of the Colorado Springs VORTAC 205° radial extending from the 6.5-radius to the VORTAC; within 1.5 miles each side of the Colorado Springs runway 17 ILS localizer course extending from the 6.5-mile radius to 9 miles north of the airport.

By amending subpart G, Section 71.181 so as to alter the following transition area to read:

Colorado Springs, Colorado

That airspace extending upward from 700' above the surface within a 20-mile radius of the City of Colorado Springs Municipal Airport (latitude 38°48'35" N., longitude 104°42'20" W.); and within 5 miles west and 8 miles east of the Colorado Springs runway 17 ILS localizer course extending from the 20-mile radius area to 22.5 miles north of the airport, excluding that portion west of longitude 104°52'00" W.; and that airspace extending upward from 1,200' above the surface bounded on the north by latitude 39°00'00" N., on the east by V-169, on the south by latitude 38°30'00" N., and on the west by longitude 105°33'00" W.

Drafting Information

The principal authors of this document are Pruett B. Helm, Air Traffic Division, and Daniel J. Peterson, office of the Regional Counsel, Rocky Mountain Region.

This amendment is proposed under authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involved an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation, and a comment period of less than 45 days is appropriate.

Issued in Aurora, Colorado on September 28, 1979.

M. M. Martin,

Director, Rocky Mountain Region.

[FR Doc. 79-30940 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-RM-26]

Alteration of Transition Areas and Control Zone; Gillette, Wyoming

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: This Notice of Proposed Rulemaking (NPRM) proposes to alter the 700' and 1,200' transition areas and control zone at Gillette, Wyoming to provide controlled airspace for aircraft executing the new localizer runway 33, standard instrument approach procedure to the Gillette-Campbell County Airport, Gillette, Wyoming. The proposal also provides controlled

airspace for holding aircraft and for air traffic control purposes.

DATES: Comments must be received on or before October 29, 1979.

ADDRESSES: Send comments on the proposal to: Chief, Air Traffic Division, Attn: ARM-500, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010.

FOR FURTHER INFORMATION CONTACT: David M. Laschinger, Airspace and Procedures Specialist, Operations, Procedures and Airspace Branch (ARM-530), Air Traffic Division, Federal Aviation Administration, Rocky Mountain Region, 10455 East 25th Avenue, Aurora, Colorado 80010; telephone (303) 837-3937.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colorado 80010. All communications received will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The Federal Aviation Administration is considering an amendment to subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the 700' and 1,200' transition areas and control zone at Gillette, Wyoming. This proposal is necessary to provide controlled airspace for aircraft executing the new localizer runway 33, standard instrument approach procedure to the Gillette-Campbell County Airport, Gillette, Wyoming, and to provide controlled airspace for holding aircraft and for air traffic control purposes. Accordingly, the Federal Aviation Administration proposes to amend subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

By amending § 71.171 by designating the following control zone:

Gillette, Wyoming

Within a 5-mile radius of the Gillette-Campbell County Airport (latitude 44°20'52"N., longitude 105°32'34"W.); and within 3.5 miles each side of the Gillette VOR 171° radial extending from the 5-mile radius to 14 miles south of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective time will thereafter be continuously published in the Airman's Information Manual.

By amending § 71.181 designating the following transition areas:

Gillette, Wyoming

That airspace extending upward from 700 feet above the surface within 7 miles east and 9.5 miles west of the Gillette VOR (latitude 44°20'52"N., longitude 105°32'34"W.) 176° and 356° radials, extending from 17.5 miles south to 18.5 miles north of the VOR, and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 44°47'00"N., longitude 106°22'30"W.; to latitude 44°23'00"N., longitude 106°22'30"W.; to latitude 44°16'00"N., longitude 105°58'00"W.; to latitude 44°05'00"N., longitude 106°00'00"W.; to latitude 43°49'15"N., longitude 106°09'30"W.; to latitude 43°39'00"N., longitude 106°00'00"W.; to latitude 43°39'00"N., longitude 105°09'00"W.; to latitude 44°08'00"N., longitude 105°09'00"W.; to latitude 44°01'00"N., longitude 104°51'00"W.; to latitude 44°30'00"N., longitude 104°41'00"W.; thence to point of beginning.

Drafting Information

The principal authors of this document are David M. Laschinger, Air Traffic Division, and Daniel J. Peterson, office of the Regional Counsel, Rocky Mountain Region.

This amendment is proposed under authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49

U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Note: The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation, and a comment period of less than 45 days is appropriate.

Issued in Aurora, Colorado on September 26, 1979.

M. M. Martin,

Director, Rocky Mountain Region.

[FR Doc. 79-30941 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-CE-31]

Transition Area—Crete, Nebr.; Proposed Alteration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rule making (NPRM).

SUMMARY: This Notice proposes to alter the 700-foot transition area at Crete, Nebraska, to provide controlled airspace for aircraft executing a new instrument approach procedure to Runway 35 at the Crete, Nebraska Municipal Airport, utilizing the Lincoln, Nebraska VHF OMNI Directional Range as a navigational aid.

DATES: Comments must be received on or before November 15, 1979.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Benny J. Kirk, Airspace Specialist, Operations, Procedures, and Airspace Branch, Air Traffic Division, ACE-538, FAA, Central Region, 601 East 12th

Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before November 15, 1979 will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408. Communications must identify the notice number of this NPRM.

Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181 of the Federal Aviation Regulations (14 C.F.R. § 71.181) by altering the 700-foot transition area at Crete, Nebraska. To enhance airport usage, a new instrument approach procedure to Runway 35 at the Crete, Nebraska Municipal Airport is being established utilizing the Lincoln, Nebraska VHF OMNI directional range as a navigational aid. The establishment of a new instrument approach procedure based on this navigational aid entails the alteration of the transition area at Crete, Nebraska at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Accordingly, Federal Aviation Administration proposes to amend Subpart G, § 71.181 of the Federal Aviation Regulations [14 CFR 71.181] as

republished on January 2, 1979, (44 FR 442) by altering the following transition area:

Crete, Nebraska

That airspace extending upward from 700 feet above the surface within a $6\frac{1}{2}$ mile radius of the Crete Municipal Airport (latitude $40^{\circ}37'30''$ N., longitude $96^{\circ}55'45''$ W.) and within 3 miles either side of the 204° true radial of the Lincoln VORTAC (latitude $40^{\circ}55'25.7''$ N., longitude $96^{\circ}44'30.2''$ W.) extending from the $6\frac{1}{2}$ mile radius area to $8\frac{1}{2}$ miles southwest of the airport.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on September 27, 1979.

Charles A. Whitfield,

Acting Director, Central Region.

[FR Doc. 79-30942 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-ASW-48]

Proposed Alteration of Transition Area; Dallas-Fort Worth, Tex.

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Notice of proposed rule making.

SUMMARY: The nature of the action being taken is to propose an alteration of a transition area at Dallas-Fort Worth, Tex. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the McKinney Municipal Airport, McKinney, Tex. The circumstance which created the need for the action is the proposed establishment of a nondirectional radio beacon (NDB) located on the airport. Coincident with this action, the airport is changed from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR). This is a new airport located at latitude $33^{\circ}10'43''$ N., longitude $96^{\circ}35'25.5''$ W.

DATES: Comments must be received by November 5, 1979.

ADDRESSES: Send comments on the proposal to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

The official docket may be examined at the following location: Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

An informal docket may be examined at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone: (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: Subpart G 71.181 (44 FR 442) of FAR Part 71 contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting IFR activity. Alteration of the transition area at Dallas-Fort Worth, Tex., will necessitate an amendment to this subpart.

Comments Invited

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before November 5, 1979 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region,

Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should contact the office listed above.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area at Dallas-Fort Worth, Tex. The FAA believes this action will enhance IFR operations at the McKinney Municipal Airport by providing controlled airspace for aircraft executing proposed instrument approach procedures using the proposed NDB located on the airport. Subpart G of Part 71 was republished in the Federal Register on January 2, 1979 (44 FR 442).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (44 FR 442) by altering the Dallas-Fort Worth, Tex., transition area by adding the following:

Dallas-Fort Worth, Tex.

*** and within a 6.5-mile radius of the McKinney Municipal Airport (latitude 33°10'43"N., longitude 96°35'25.5"W.) and within 3 miles either side of the 010° bearing from the NDB (latitude 33°10'43"N., longitude 96°35'34.5"W.) extending from the 6.5-mile radius area to 8.5 miles north of the NDB. (Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a); and sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Fort Worth, Texas on September 21, 1979.

Paul J. Baker,

Acting Director, Southwest Region.

[FR Doc. 79-30939 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-ASW-49]

Proposed Alteration of Transition Area; Giddings, Tex.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making.

SUMMARY: The nature of the action being taken is to propose alteration of a transition area at Giddings, Tex. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the Giddings-Lee County Airport. The circumstance which created the need for the action is the proposed establishment of a nondirectional radio beacon (NDB) located on the airport.

DATES: Comments must be received by November 5, 1979.

ADDRESSES: Send comments on the proposal to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

The official docket may be examined at the following location: Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

An informal docket may be examined at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone: (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: Subpart G 71.181 (44 FR 442) of FAR Part 71 contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting IFR activity. Alteration of transition area at Giddings, Tex., will necessitate an amendment to this subpart.

Comments Invited

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before November 5, 1979 will be considered before action is taken on the proposed

amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should contact the office listed above.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area at Giddings, Tex. The FAA believes this action will enhance IFR operations at the Giddings-Lee County Airport by providing controlled airspace for aircraft executing proposed instrument approach procedures using the proposed NDB located on the airport. Subpart G of Part 71 was republished in the *Federal Register* on January 2, 1979 (44 FR 442).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (44 FR 442) by altering the Giddings, Tex., transition area by adding the following:

Giddings, Tex.

Within 3 miles each side of the 351° bearing from the NDB (latitude 30°10'07.3"N, longitude 96°58'46.6"W.) extending from the 5 mile radius area to 8.5 miles northwest of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a); and sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive

Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 28, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Fort Worth, Texas on September 21, 1979.

Paul J. Baker,
Acting Director, Southwest Region.

[FR Doc. 79-30937 Filed 10-5-79; 9:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-ASW-44]

Transition Area, Proposed Alteration; Dumas, Tex.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rule making.

SUMMARY: The nature of the action being taken is to propose alteration of the transition area at Dumas, Tex. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing new instrument approach procedures to the Dumas Municipal Airport, the circumstance which created the need for the action is the proposed establishment of a nondirectional radio beacon (NDB) located on the airport.

DATES: Comments must be received by November 5, 1979.

ADDRESSES: Send comments on the proposal to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth Texas 76101.

The official docket may be examined at the following location: Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

An informal docket may be examined at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Manuel R. Hugonnet, Airspace and Procedures Branch, ASW-536, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: Subpart G 71.181 (44 FR 442) of FAR Part 71 contains the description of transition areas designated to provide controlled

airspace for the benefit of aircraft conducting Instrument Flight rules (IFR) activity. Alteration of the transition area at Dumas, Tex., will necessitate an amendment to this subpart.

Comments Invited

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before November 5, 1979, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should contact the office listed above.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area at Dumas, Tex. The FAA believes this action will enhance IFR operations at the Dumas Municipal Airport by providing additional controlled airspace for aircraft executing the proposed instrument approach procedure for Runway 01. This action also provides airspace for aircraft executing a new area navigation (RNAV) approach procedure to Runway 19. Subpart G of Part 71 was republished in the *Federal Register* on January 2, 1979 (44 FR 442).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (44 FR 442) by altering the Dumas, Tex., transition area by adding the following:

Dumas, Tex.

*** and within 3 miles each side of the 197° bearing from the NDB (latitude 35°51'47"N., longitude 102°00'44"N.) extending from the 8-mile radius area to 8.5 miles south of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a); and Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 1204, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Fort Worth, Texas on September 21, 1979.

Paul J. Baker,

Acting Director, Southwest Region.

[FR Doc. 79-30938 Filed 10-5-79; 3:45 am]

BILLING CODE 4910-13-M

28, 1979; on page 50475, first column, twenty-second line from the bottom, "545" should read "546".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1195]

Medical Devices; Classification of Canes**Correction**

In FR Doc. 79-26273 appearing at page 50475 in the issue for Tuesday, August 28, 1979, third column, nineteenth line from the bottom, "549" should read "540".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1204]

Medical Devices; Classification of Truncal Orthoses**Correction**

In FR Doc. 79-26282 appearing at page 50481 in the issue for Tuesday, August 28, 1979; on page 50482, second column, fourteenth line of the paragraph numbered 5, "Contract" should read "Contact".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1205]

Medical Devices; Classification of External Assembled Lower Limb Prostheses**Correction**

In FR Doc. 79-26283 appearing at page 50482 in the issue for Tuesday, August 28, 1979, third column, eleventh line of the Summary paragraph, insert "a device" after "classifying".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1206]

Medical Devices; Classification of Plinths**Corrections**

In FR Doc. 79-26284 appearing at page 50483 in the issue for Tuesday, August 28, 1979; on page 50484, first column, lines eleven and twelve from the top should be deleted; second column,

fourth line of the second paragraph, "360" should read "360c".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1242]

Medical Devices; Classification of Ultrasonic Diathermies**Correction**

In FR Doc. 79-26319 appearing at page 50514 in the issue for Tuesday, August 28, 1979, on page 50515, first column, thirteenth line of § 890.5300, "(1)" should read "(2)", and in paragraph (b)(2) of § 890.5300, "Classification" should read "Classification".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1248]

Medical Devices; Classification of Infrared Lamps**Corrections**

In FR Doc. 79-26324 appearing at page 50519 in the issue for Tuesday, August 28, 1979, first column, third line of the Summary paragraph, "summary" should read "comment"; second column, in the last line of the Address, "56" should read "5600".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1249]

Medical Devices; Classification of Iontophoresis Devices**Corrections**

In FR Doc. 79-26325 appearing at page 50520 in the issue for Tuesday, August 28, 1979, first column, eleventh line of paragraph Number 2, "high" should read "low"; on page 50522, second column, twenty-sixth line from the top, insert "three" after "these".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1254]

Medical Devices; Classification of Hot or Cold Disposable Packs**Correction**

In FR Doc. 79-26330 appearing at page 50526 in the issue for Tuesday, August 28, 1979, third column, second line of paragraph numbered 2, insert "and

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE**Food and Drug Administration****21 CFR Part 890**

[Docket No. 78N-1186]

Medical Devices; Classification of Diagnostic Electromyographs**Correction**

In FR Doc. 79-26284 appearing at page 50467 in the issue for Tuesday, August 28, 1979; on page 50468, second column, fourteenth line from the bottom, "(21 U.S.C. 5.1)" should read "(21 CFR 5.1)".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1194]

Medical Devices; Classification of Prosthetic and Orthotic Accessories**Correction**

In FR Doc. 79-26272 appearing at page 50474 in the issue for Tuesday, August

Personal Use Device Classification
after "Hospital".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1257]

**Medical Devices; Classification of
Powered Heating Pads***Correction*

In FR Doc. 79-26333 appearing at page 50529 in the issue for Tuesday, August 28, 1979, first column, second line of the paragraph numbered 2, "(general * * *)" should read "(performance * * *"; and in the fourth line of that same paragraph, "low" should read "high".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1260]

**Medical Devices; Classification of
Ultrasound and Muscle Stimulators***Correction*

In FR Doc. 79-26336 appearing at page 50531 in the issue for Tuesday, August 28, 1979; on page 50532, first column, tenth line from the top, after "a" insert "performance".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1261]

**Medical Devices; Classification of
Multi-Function Physical Therapy
Tables***Correction*

In FR Doc. 79-26337 appearing at page 50532 in the issue for Tuesday, August 28, 1979; on page 50533, second column, first line from the top, the word "head" should read "heat".

BILLING CODE 1505-01-M

21 CFR Part 890

[Docket No. 78N-1265]

Medical Devices; Classification of

"Identification" should read
"Identification".

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY**Internal Revenue Service****26 CFR Part 31**

[LR-81-78]

**Submission of Copies of Certain
Withholding Exemption Certificates to
the Internal Revenue Service**

AGENCY: Internal Revenue Service,
Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed Employment Tax Regulations which relate to requiring an employer to submit copies of certain employee withholding exemption certificates to the Internal Revenue Service. The regulations would reflect a change in the position of the Internal Revenue Service with respect to required submission of copies of these certificates and would provide the public with needed guidance.

DATES: Written comments and requests for a public hearing must be delivered or mailed on or before December 10, 1979. The amendments are proposed to be effective with respect to withholding exemption certificates received by an employer after October 9, 1979.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T (LR-81-78), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: William E. Mantle of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-3829).

SUPPLEMENTARY INFORMATION:**Background**

This document contains proposed amendments to the Employment Tax Regulations (26 CFR Part 31) under sections 3401 and 3402 of the Internal Revenue Code of 1954. The amendments are proposed in order to set forth a requirement that employers submit

proposed to be issued under the authority contained in sections 6001, 6011, and 7805 of the Internal Revenue Code of 1954 (68A Stat. 731, 26 U.S.C. 6001; 68A Stat. 732, 26 U.S.C. 6011; 68A Stat. 917, 26 U.S.C. 7805).

General Rule

The proposed regulations would require quarterly submission of a copy of the employee withholding exemption certificate to the Internal Revenue Service if the certificate received from any employee claims a total number of withholding exemptions in excess of 9 or claims a status exempting the employee from withholding. The Internal Revenue Service may obtain copies of other certificates upon written request.

The proposed regulations also provide that until receipt of notice from the Internal Revenue Service with respect to a copy of any certificate previously submitted the employer shall withhold on the basis of the statements made in that certificate. If the Internal Revenue Service finds that a copy of a withholding exemption certificate submitted contains any materially incorrect statement or if, after written request to the employee for verification of the statements on the certificate, the Internal Revenue Service determines that it lacks sufficient information to determine if the certificate is correct, and in either event so notifies the employer in writing, the employer shall then consider the certificate as defective for purposes of computing amounts of withholding. The employer must promptly furnish the employee who filed the defective certificate, if still in his employ, with a copy of the written notice of the Internal Revenue Service and may request another certificate from the employee. The employer shall withhold amounts as if the employee were a single person claiming no exemptions until a new certificate is filed.

**Comments and Requests for a Public
Hearing**

Before adopting these proposed regulations, consideration will be given to any written comments that are submitted (preferably six copies) to the Commissioner of Internal Revenue. All

Drafting Information

The principal author of these proposed regulations is William E. Mantle of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

Proposed Amendments to the Regulations

26 CFR Part 31 is amended as follows:
Paragraph 1, Section 31.3401(e)-1(b) (relating to number of withholding exemptions claimed) is amended by deleting the last two sentences and inserting in lieu thereof the following new sentence:

§ 31.3401(e)-1 Number of withholding exemptions claimed.

*** For rules relating to invalid withholding exemption certificates, see § 31.3402(f)(2)-1(e), and for rules relating to required submission of copies of certain withholding exemption certificates to the Internal Revenue Service, see § 31.3402(f)(2)-1(g).

Par. 2. Section 31.3402(f)(2)-1 (relating to withholding exemption certificates) is amended by deleting the last two sentences of paragraph (e) and inserting in lieu thereof the following new sentence, and by adding the following new paragraph (g) immediately after paragraph (f):

§ 31.3402(f)(2)-1 Withholding exemption certificates.

(e) *Invalid withholding exemption certificates.* *** This paragraph applies only with respect to withholding exemption certificates received by any employer after July 26, 1976.

(g) *Submission of certain withholding certificates.* The employer shall submit, at the time and place of filing of Form 941 or 941E (or 941M) for the reporting period (or calendar quarter in the case of Form 941M), a copy of the currently effective withholding exemption certificate received from the employee during the reporting period (or calendar quarter in the case of Form 941M) if—

(1) The total number of withholding exemptions (within the meaning of section 3402(f)(1) and the regulations thereunder) claimed on the certificate exceeds 9, or

(2) The certificate indicates that the employee claims a status exempting the employee from withholding.

The employer's first required submission shall be with respect to the employer's first Form 941 or 941E (or 941M in the case of a calendar quarter) required to be filed on or after the date which is 30 days after the issuance of these regulations by Treasury decision. The employer's first required submission of copies of the described withholding exemption certificates shall include a copy of each certificate described above received on or after October 9, 1979 and before the end of the reporting period (or calendar quarter in the case of Form 941M) covered by the Form 941 or 941E (or 941M). In addition, the employer shall submit a copy of any other currently effective withholding exemption certificate (or make the original certificate available for inspection) upon the written request of the Internal Revenue Service. Until receipt of notice from the Internal Revenue Service with respect to a copy of any certificate previously submitted under this section, the employer shall withhold on the basis of the statements made in that certificate as currently effective. If the Internal Revenue Service finds that a copy of a withholding exemption certificate submitted contains any materially incorrect statement or if, after written request to the employee for verification of the statements on the certificate, the Internal Revenue Service determines that it lacks sufficient information to determine if the certificate is correct, and in either event so notifies the employer in writing, the employer shall then consider the certificate to be defective for purposes of computing amounts of withholding. The employer shall promptly furnish the employee who filed the defective certificate, if still in his employ, with a copy of the written notice of the Internal Revenue Service with respect to the certificate and may request another withholding exemption certificate from the employee. The employer shall withhold amounts from the employee as if the employee were a single person claiming no exemptions (see § 31.3402(f)(2)-1(a)) until a new certificate is filed. If and when the employee does file a new certificate, the employer shall withhold on the basis of that new certificate as currently effective, but must submit a copy of that new certificate if required by, and in accordance with, this paragraph (g). For purposes of this paragraph (g), the term "employer" includes any individual authorized by the employer either to receive withholding exemption certificates, to make withholding computations, or to make payroll distributions.

Par. 3. Section 31.3402(n)-1 (relating to employees incurring no income tax liability) is amended by deleting the last two sentences immediately before example (1) and inserting in lieu thereof the following new sentence:

§ 31.3402(n)-1 Employees incurring no income tax liability.

*** For rules relating to invalid withholding exemption certificates, see § 31.3402(f)(2)-1(e), and for rules relating to submission of withholding exemption certificates claiming a complete exemption from withholding to the Internal Revenue Service, see § 31.3402(f)(2)-1(g). ***

Jerome Kurtz,
Commissioner of Internal Revenue.

[FR Doc. 79-31115 Filed 10-5-79; 8:45 am]

BILLING CODE 4830-01-M

PANAMA CANAL COMMISSION**35 CFR Part 133****Panama Canal Tolls; Proposed Increases; Cancellation of Proposed Rule**

AGENCY: Panama Canal Commission.

ACTION: Withdrawal of proposed rule.

SUMMARY: On March 30, 1979, the Panama Canal Company (predecessor agency of the Panama Canal Commission) announced a proposed increase of 21.8% in tolls for use of the Panama Canal, to be effective on October 1, 1979 (44 FR 18994). That increase would have been effected under then current law requiring notice and public hearing. On September 27, 1979, the President signed into law the Panama Canal Act of 1979 (Pub. L. 96-70). Section 1605 of the Act provides for an interim tolls increase without notice or public hearing. On September 29, 1979 the President approved a tolls increase of 29.3 percent, effective October 1, 1979. The proposed increase in tolls for use of the Panama Canal, announced on March 30, 1979, is cancelled. See 44 FR 56837, dated October 2, 1979, for explanation of rates of tolls effective October 1, 1979.

FOR FURTHER INFORMATION CONTACT: Thomas M. Constant, Secretary, Panama Canal Commission, 425 13th Street NW., Washington, D.C. 20004, Phone: 202/724-0104.

Dated October 3, 1979.

Hazel M. Murdock,
Assistant to the Secretary.

[FR Doc. 79-31093 Filed 10-5-79; 8:45 am]

BILLING CODE 3640-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[FRL 1335-3]

Approval and Promulgation of Implementation Plans—New Hampshire Attainment Status Designations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: Revisions to the State Implementation Plan (SIP) for the State of New Hampshire were submitted to EPA on May 29, 1979 by the Governor. The revisions are intended to meet the requirements of the Clean Air Act (the Act), Part D, "Plan Requirements for Non-Attainment Areas", and to implement measures designed to attain the National Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO) and ozone (O₃). The May 29 submittal includes data in support of redesignating the total suspended particulate (TSP) attainment status of the City of Keene from non-attainment to attainment, redesignating the ozone standard attainment status of the Central New Hampshire Intrastate Air Quality Control Region (AQCR 149) from non-attainment to unclassifiable, a request for an 18-month extension of the deadline for submittal of a plan to attain the TSP secondary standard in the City of Manchester, and a request to redesignate the carbon monoxide primary standard attainment status for the City of Nashua from unclassifiable to non-attainment. In addition, the revisions respond to certain other requirements of the Act, including those concerning the Prevention of Significant Deterioration (PSD) of Air Quality. This notice addresses the New Hampshire submittal and EPA's proposed actions concerning it.

DATES: Comments must be received on or before November 8, 1979.

ADDRESSES: Copies of the New Hampshire submittal and EPA's guidance pertaining to the requirements of the SIP revisions are available for public inspection during normal business hours at the Environmental Protection Agency, Region I, Room 1903, JFK Federal Building, Boston, Massachusetts 02203; Public Information Reference Unit, Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460; and the New Hampshire Air Resources Agency, State of New Hampshire, Hazen Drive, Concord, New Hampshire 03301.

Comments should be submitted to Frank Ciavattieri, Air Branch, Region I, Environmental Protection Agency, Room 1903, JFK Federal Building, Boston, Massachusetts 02203.

FOR FURTHER INFORMATION CONTACT: Frank Ciavattieri, Air Branch, EPA Region I, Room 1903, JFK Federal Building, Boston, Massachusetts 02203, (617) 223-5609.

SUPPLEMENTARY INFORMATION: On April 4, 1979 EPA published its general preamble to the non-attainment State Implementation Plan (SIP) revisions in the Federal Register (44 FR 20372). That publication supplements this proposal by identifying the major considerations for approvable non-attainment area SIP revisions, and its contents are not repeated in detail here. Copies of that document are available at the locations listed elsewhere in this notice.

A supplement to the April 4, 1979 notice (44 FR 20372) was published on July 2, 1979 (44 FR 38583), discussing among other things, conditional approval. EPA proposes to approve SIP revisions conditionally when they contain only minor deficiencies and the State provides assurances that it will correct these deficiencies by specified deadlines. This notice solicits comment as to what items in the New Hampshire SIP revision should be conditionally approved, as to the deadlines for correction of deficiencies which are specified in this notice. A conditional approval will mean that restrictions on new major source construction will not apply unless the State fails to submit the necessary SIP revisions by the scheduled dates, or unless the revisions are not approved by EPA.

EPA proposes:

To approve: 1. The redesignation of Keene from non-attainment for the TSP secondary standard to attainment.

2. The 18 month extension for submittal of a TSP secondary standard attainment plan for Manchester.

3. The redesignation of the City of Nashua from unclassifiable to non-attainment for CO.

4. The ozone redesignation of the Central New Hampshire Intrastate Air Quality Control Region (AQCR 149) from non-attainment to unclassifiable.

5. The resource commitments.

6. Conflict of interest requirements.

7. Interstate pollution requirements.

To approve with conditions: 1. The carbon monoxide attainment plan for Manchester.

2. The ozone attainment plan.

3. The new source review and permit program in non-attainment areas.

4. The public participation and consultation plan.

To disapprove: 1. The PSD program.

EPA invites public comments and suggested corrections on these revisions, the identified issues, and on whether the revisions should be approved or disapproved, particularly with respect to the requirements of Part D of the Act.

Background

Despite significant progress since the New Hampshire SIP was submitted to and approved by EPA in 1972, violations of the National Ambient Air Quality Standards (NAAQS) have continued to occur in New Hampshire. Accordingly, on March 3, 1978 (43 FR 9013), pursuant to Section 107 of the Act, EPA promulgated lists designating areas in the state as "attainment", "non-attainment" or as "unclassifiable" as of August 7, 1977 with respect to the NAAQS for carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), total suspended particulates (TSP), and ozone (O₃). The non-attainment designations were made on the basis of violations recorded at monitoring stations.

Pursuant to Part D of the Act, each state must satisfy specific requirements in the areas designated as non-attainment. The SIP must be revised to demonstrate attainment of the primary NAAQS as expeditiously as practicable, but no later than the end of 1982, or the end of 1987 for areas with carbon monoxide and ozone problems. In some cases of secondary standard non-attainment, the SIP revisions may provide for an attainment date beyond 1982. These requirements and the major considerations that will guide EPA's evaluation of attainment plans were presented in detail in the Federal Register on April 4, 1979 (44 FR 20372) and are briefly summarized below. After each item is a citation to the applicable section of the Act and the applicable paragraphs of the EPA Administrator's February 24, 1978 memorandum concerning "Criteria for Approval of 1979 SIP Revisions" which was published in the Federal Register on May 19, 1978 (43 FR 21673).

Requirements for all Part D SIP Revisions

• Demonstrate that both primary and secondary NAAQS will be attained within the non-attainment area as expeditiously as practicable, but for primary NAAQS no later than the following final deadlines: (Section 172(a); ¶¶ 1, 3, 5.)

—For sulfur oxides, particulate matter, and nitrogen dioxide, December 31, 1982.

—For ozone or carbon monoxide, December 31, 1982, except, if the state

demonstrates that attainment by December 31, 1982 is impossible despite implementation of all reasonably available measures, December 31, 1987.

- Require reasonable further progress in the period before attainment, including regular, consistent reductions sufficient to assure attainment by the required date. (Section 172(b)(3); ¶ 6.)

- Provide for implementation of all reasonably available control measures (RACM) as expeditiously as practicable, insofar as necessary to assure reasonable further progress and attainment by the required date. This includes reasonably available control technology (RACT) for stationary sources and reasonably available transportation control measures. (Section 172(b)(2), (8); ¶¶ 4-5.)

- Include an accurate, current inventory of emissions that have an impact on the non-attainment area, and provide for annual updates to indicate emissions from existing sources. (Section 172(b)(4); ¶¶ 2, 7-8.)

- Expressly quantify the emissions growth allowance, if any, that will be allowed to result from new major sources or major modifications of existing sources, which may not be so large as to jeopardize reasonable further progress or attainment by the required date. (Section 172(b)(3) and (5); ¶ 7.)

- Require preconstruction review permits for new major sources and major modifications of existing sources, to be issued in accordance with Section 173 of the Act. (Section 172(b)(6); ¶ 9.)

- Include the following additional SIP elements: (Section 172(b)(7), (9)-(10); ¶¶ 4, 10-11.)

- Identification and commitment of the necessary resources to carry out the Part D provisions of the plan.

- Evidence of public, local government, and state legislative involvement and consultation in accordance with Section 174 of the Act.

- Identification and brief analysis of the air quality, health, welfare, economic, energy, and social effects of the plan provisions chosen and the alternatives considered, and a summary of the public comment on the analysis.

- Written evidence that the state and other governmental bodies have adopted the necessary requirements in legally enforceable form.

- Written evidence that the state and other governmental bodies are committed to implement and enforce the appropriate elements of the SIP revision.

There are additional requirements for states where carbon monoxide and ozone attainment will not take place prior to 1982. However, since these requirements are inapplicable to New

Hampshire, they have not been reproduced here.

In compliance with Section 172(b)(1), the New Hampshire SIP revisions were submitted to EPA after proper notice. Public hearings on individual regulations were held in Concord, New Hampshire on the following dates: November 30, 1978; February 15, 1979; March 8, 1979 and March 22, 1979. Regulations were adopted by the State on April 26, 1979. Comprehensive public hearings on the entire submittal were held in Manchester, New Hampshire on May 14, 1979, in Plymouth, New Hampshire on May 15, 1979 and in Berlin, New Hampshire on May 17, 1979.

On June 15, 1979 (44 FR 34519) EPA published a notice that the New Hampshire SIP revisions were available for review and invited the public to comment on their approvability. EPA has now completed its review of the SIP revisions.

The remainder of this notice is divided into two parts. The first part discusses:

1. The status of New Hampshire's TSP and SO₂ non-attainment areas, including a redesignation request for Keene. It should be noted that while EPA proposes to act on the TSP redesignation request for Keene and the 18 month extension request for Manchester, the Berlin TSP/SO₂ attainment plan has not been submitted and will therefore be discussed in a later Federal Register notice.

2. The carbon monoxide and ozone attainment plans and the carbon monoxide and ozone redesignation requests.

3. The New Source permit program in non-attainment areas and the results of EPA's review.

The second part addresses New Hampshire's responses to certain general requirements of the Act and EPA's judgment as to whether those requirements have been met.

I New Hampshire's Non-Attainment Plan SIP Revisions

A. Total Suspended Particulates (TSP) and Sulfur Dioxide (SO₂)

Description of State's Actions. 1.

Keene—Keene was designated as a non-attainment area for the TSP secondary standard on March 3, 1978 (43 FR 9013), based on monitoring data from October 1975 to October 1977. No TSP readings above the primary standard had been recorded during that time.

The state submittal shows that the high TSP levels at the Keene State College monitoring station were caused by construction activity occurring within 50-75 feet of the monitor during a one-

year period. No further high levels occurred after January, 1976. Where temporary activities such as construction are shown to have caused violations of the NAAQS, and hence a designation of non-attainment, it is EPA's best judgment that a redesignation of the area to attainment is permissible.

Another TSP secondary standard violation was recorded at the Ashuelot Bank Building monitoring station in Keene. However subsequent quality assurance checks performed by the state showed the recorded level to be incorrect due to a mathematical error. The corrected reading is not above the TSP secondary standard.

The state has requested that since there have been no other TSP standards violations in Keene during the past two years, it be redesignated as attaining the NAAQS for TSP.

2. Manchester—The Governor of New Hampshire submitted a written request to EPA on May 29, 1979 for an 18-month extension of the deadline for submittal of a TSP secondary standard attainment plan. Section 110(b) of the Act and 40 CFR 51.31 allow EPA to grant extensions for submittal of SIP revisions which implement a secondary standard, upon a showing that attainment will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology (RACT). New Hampshire's request was accompanied by technical support material which makes this showing.

3. Berlin—Berlin was designated on March 3, 1978 as a non-attainment area for TSP and SO₂ primary standards (43 FR 9013). It is EPA's best judgment that emissions from Brown Company's pulp and paper making plant are the principal contributor to the high levels.

Draft attainment plans have been submitted to EPA by the state of New Hampshire, and final submittals are expected in connection with a consent decree entered into by the U.S. Department of Justice, the State of New Hampshire, and the Brown Company on August 3, 1979 (*United States of America and the State of New Hampshire v. Brown Company*, Civil Action Number 79-233 in the U.S. District Court for the District of New Hampshire). The decree contains measures to bring the Berlin area into attainment for the TSP and SO₂ NAAQS by December 31, 1981. EPA's action regarding the approvability of the state's attainment plan for Berlin will be discussed in a subsequent Federal Register notice.

Issues: None.

Proposed Action: EPA is proposing the following actions:

1. Approval of the redesignation of Keene from non-attainment for the TSP secondary standard to attainment;
2. Approval of an 18-month extension until July 1, 1980 for submittal of a TSP secondary standard attainment plan for Manchester.

B. Carbon Monoxide (CO)

1. Metropolitan Manchester Area— The metropolitan Manchester area was designated non-attainment (40 CFR 81.330, March 3, 1978). In order to achieve the CO standard by December 31, 1982, the Manchester area will rely on both the benefits to be derived from the Federal Motor Vehicle Emission Control Program (FMVECP), and a State program to control areas of high CO concentrations (CO "hotspots").

Description of the Plan: Point and area source emission inventories compiled and submitted to EPA by the State indicate that the primary contributor to ambient CO levels in New Hampshire is the automobile. For this reason, the control strategies focus on vehicular control measures. In its submittal the State has indicated that CO reductions achieved through the FMVECP will be sufficient to attain standards. The EPA, however, recognizes that the monitoring data, upon which the necessary reductions required to attain standards were computed, may be unreliable and requires the State to conduct additional monitoring. The State proposes to conduct additional monitoring in the Manchester central business district area using EPA approved procedures, and will submit a revised plan if necessary by May 1, 1980 based on these monitoring results. In addition, these proposed SIP revisions include in Appendix V, a Memorandum of Understanding (MOU) among the New Hampshire Department of Public Works and Highways (NHDPW & H), New Hampshire Air Pollution Control Agency (NHAPCA), Metropolitan Manchester Planning-Study-Policy Committee (MMPSPC), and the Southern New Hampshire Planning Commission (SNHPC) that will provide for interagency programs to study CO "hotspot" areas and develop control strategies within the Metropolitan Manchester Planning Study Area to attain the CO standard by December 31, 1982. The State has articulated in the MOU the need for programs to study CO problem areas, and has indicated in the revisions that a plan will be developed and submitted to EPA by May 1, 1980 which will contain any necessary

control strategies to meet the CO standard in the Manchester area.

Proposed Action: EPA proposes to approve the CO portion of the SIP revision conditioned upon the following:

By May 1, 1980 the State completes additional monitoring and submits to EPA at that time as part of the SIP revision a revised CO plan for meeting the CO standard by December 31, 1982 if the additional monitoring has indicated that a revised plan is required. The plan must contain at a minimum, specific control strategies, schedules for implementation and commitments of responsible agencies.

2. City of Nashua. The attainment status of the City of Nashua is currently unclassifiable (44 FR 9014, March 3, 1978). In a letter dated February 5, 1979 the Governor has requested that EPA redesignate the City of Nashua from unclassifiable to non-attainment based on recent monitoring data. The State must, therefore, submit to EPA a CO attainment plan for the city of Nashua within 9 months following the final notice in the Federal Register designating the area as non-attainment.

Proposed Action: EPA proposes to approve the redesignation of the City of Nashua from unclassifiable to non-attainment for CO. The State must, therefore, submit to EPA within 9 months following the final notice in the Federal Register a CO attainment plan for the City of Nashua. This plan should contain, at a minimum, specific control strategies, schedules for implementation and commitments of responsible agencies. As part of this plan the State must submit a Memorandum of Understanding (MOU) among appropriate State and local agencies, similar to that executed between the NHDPW & H, NHAPCA, MMPSPC and the SNHPC as early as possible. The MOU among other things, must commit to study CO problem areas and develop control strategies within the City of Nashua to attain the CO standard by December 31, 1982.

C. Ozone (O₃)

Central New Hampshire Intrastate (AQCR 149) and the New Hampshire portion of the Merrimack Valley-Southern New Hampshire Interstate (AQCR 121) were designated as non-attainment for ozone (40 CFR 81.330, March 3, 1978), and the New Hampshire portion of the Androscoggin Valley Interstate (AQCR 107) as unclassifiable. An ozone monitoring site located at Cannon Mountain in AQCR 149 reflects no violation of the recently revised NAAQS for ozone of 0.12 ppm (44 FR 8202, February 8, 1979). However, the monitoring site may not be

representative of surrounding areas. For this reason the State has requested the redesignation of AQCR 149 to unclassifiable until further monitoring can better define its status. In order to attain the standard in the non-attainment areas by December 31, 1982, New Hampshire will rely upon benefits from the FMVECP as well as upon regulations to control industrial hydrocarbon (HC) emissions.

Regulation 22, section III exempts from control methyl chloroform (1,1,1 trichloroethane) and methylene chloride. These volatile organic compounds (VOC's) while not appreciably affecting ambient ozone levels, are potentially harmful in other respects. Both methyl chloroform and methylene chloride have been identified as mutagenic in bacterial and mammalian cell test systems, a circumstance which raises the possibility of human mutagenicity and/or carcinogenicity. With the exemption of these compounds, some sources, particularly existing degreasers, will be encouraged to utilize methyl chloroform in place of other more photochemically reactive degreasing solvents. Such substitution has already resulted in the use of methyl chloroform in amounts far exceeding those of other solvents. Endorsing the use of methyl chloroform by exempting it in the SIP revision can only further aggravate the problem by increasing the emissions produced by existing primary degreasers and other sources.

The EPA is concerned that the State has chosen this course of action without full consideration of the total environmental and health implications. The EPA does not intend to disapprove the State SIP submittal if, after due consideration, the State chooses to maintain these exemptions. However, the Agency is concerned that this policy not be interpreted as encouraging either the increased use of these compounds or compliance by substitution. The EPA does not endorse such approaches. Furthermore, State officials and sources should be advised that there is a strong possibility of future regulatory action to control these compounds. Sources which choose to comply by substitution may well be required to install control systems as a consequence of these future regulatory actions.

Description of the Plan: Because New Hampshire is a rural ozone non-attainment State, the EPA has called for the application of RACT for major sources (sources with greater than 100 tons per year of potential emissions for which the agency has published Control Technique Guidelines (CTGs)). The categories of sources located in New

Hampshire for which EPA has published CTGs are: can coating; paper, fabric, film, and foil coating; vinyl coating; metal furniture coating; magnet wire insulation coating; fixed-roof tank VOC storage; tank truck gasoline loading terminals; petroleum refineries; cutback asphalt usage; and solvent metal cleaning. The State will adopt and enforce future VOC regulations for which CTGs are published after January 1, 1978.

Section 172(b)(2) of the Act requires for VOC sources the implementation of all reasonably available control technology (RACT) as expeditiously as practicable. Based upon engineering studies it is EPA's best judgment at this time that most VOC sources can achieve full compliance within one or two years, the date being dependent upon the source category. New Hampshire, however, has asserted that all sources need until 1982 for compliance without explanation as to why this is true.

Proposed Action: EPA proposed to approve the designation of AQCR 149 to unclassifiable. EPA also proposes to approve the ozone attainment plan of the SIP revision conditioned upon the State's submission to EPA of an amendment to the SIP revision no later than three months after publication of the final Federal Register notice. This amendment shall specify the following:

1. The State will require an operator's permit be issued by a specific date for each existing source by January 1, 1980;
2. A compliance schedule will be incorporated in the permit which will be negotiated between the State and the source which is demonstrated to be as expeditious as practicable for that source, but not later than December 31, 1982;
3. The public will be given an opportunity to comment on the compliance schedules;
4. The compliance schedules will be submitted to EPA for approval as a formal SIP revision no later than April 15, 1980.

D. New Source Permit Program

A recent court opinion discussed in this notice under the heading "Prevention of Significant Deterioration (PAD)" may affect New Hampshire's new source review program for non-attainment areas. However, the court opinion does not impede the adoption and approval of provisions needed to satisfy the requirements of Part D at present. EPA is proceeding to review these provisions and will advise the State and the public of any aspect of the court decision that may be relevant to the non-attainment provisions of the Act. Further information is in the

Federal Register preamble to EPA's proposed PSD regulation published on September 5, 1979 (44 FR 51925).

Section 172(b)(6) of Part D requires a preconstruction review program to assure that permits for proposed major sources (those with the potential to emit 100 tons per year or more) and modifications (changes which increase emissions) may be issued only if the requirements of Section 173 of the Act are satisfied. New Hampshire's preconstruction review program is contained in the state's Regulation 16, but the state's submittal does not indicate that New Hampshire has the legal authority to administer the program in a manner consistent with the 1977 amendments to the Act.

Regulation 16 covers "new or modified major stationary sources" as required by Section 172(b)(6): The regulation requires a permit for each device, with 2 minor device categories excepted, before construction or modification of a stationary source, which may contain one or a group of devices; each device must operate in accordance with Attachment 2 of Regulation 16, which is applicable to stationary sources with potential emissions of greater than 100 tons per year (TPY). Thus, new stationary sources with potential emissions greater than 100 TPY are subject to the requirements of Attachment 2, as are devices which result in any increase in actual emissions at a stationary source with potential emissions greater than 100 TPY.

Sources or modifications "which will locate within or impact on" an area exceeding the NAAQS are subject to Attachment 2. The criteria to determine geographic applicability of Attachment 2 to sources are consistent with those articulated in EPA's Offset Policy published in the Federal Register on January 16, 1979 (44 FR 3282) and a general preamble published in the Federal Register on April 4, 1979 (44 FR 20372).

1. Section 173(1)—New Hampshire has chosen the "offset" alternative of Section 173(1)(A). However, New Hampshire has allowed an exemption from Regulation 16 for major sources with allowable emissions of less than 50 tons per year. Emissions from such sources accounted for by the growth projections presented in the attainment plan. Therefore, when the attainment plans for TSP, SO₂, and CO are prepared, these exempted emissions must be included in the growth projections used in developing the reasonable further progress (RFP) lines. These are the only pollutants of concern to EPA in this instance because RFP is

not required in an ozone attainment plan for a rural state which has adopted RACT for major sources of hydrocarbons, as has New Hampshire, and the state is attainment for nitrogen dioxide (NO₂).

In order to comply with the requirements of Section 173(1)(A), New Hampshire must also have a regulation which allows the state to deny a permit if the proposed source's emissions interfere with RFP. Adoption of a regulation equivalent to Section 173(1)(A) will provide the bases for denying a permit to give the state the necessary legal authority to deny a permit if the proposed source's emissions are inconsistent with RFP, and will mean that emission reductions can be used to offset new major source growth only to the extent that they are not needed for attainment of the NAAQS.

2. Section 173(2)—New Hampshire's regulation satisfies Section 173(2) of the Act by requiring the utilization of control technology representing the lowest achievable emission rate (LAER).

3. Section 173(3)—Section 173(3) requires the applicant to certify that other sources in the state owned or operated by the applicant are in compliance with emission limitation and standards under the Act. New Hampshire's regulation requires compliance with state, but not federal, regulations.

4. Enforceability under Section 173—The New Hampshire regulation requires the applicant to indicate in writing that "completed arrangements" for emission reductions have been made; the narrative portion of the SIP revision further specifies that the arrangement must be submitted as part of the permit application, that the emission reduction must be permanent, and that the arrangement must be finalized.

As a result of the lack of specificity in the state's regulation, it is not clear how the offsets committed to by the source will be made legally enforceable. The discussion in the narrative portion does not describe the legal mechanisms to be used to achieve this. The narrative portion of the SIP revision must articulate the manner in which this requirement will be implemented, for example, as a condition in the applicant's permit.

5. Banking of Emission Offsets—The New Hampshire SIP revision describes procedures for implementing the "banking" of emission offsets, which are consistent with EPA's Offset Policy and which EPA proposes to approve.

6. Alternative Emission Reduction Measures—New Hampshire's regulation allows sources the option of utilizing

alternative emission reduction measures commonly referred to as the "bubble" concept. This approach would enable sources to employ a more economically efficient mix of control measures.

Issues and Proposed Action: New Hampshire has amended Regulation 16 to carry out a preconstruction review program for sources in non-attainment areas. The state has agreed to take the following actions to correct the plan insofar as it does not meet the requirements of Section 173:

1. On or before November 8, 1979, submittal of a statement from the New Hampshire Attorney General as to whether the state has the authority to impose intersource emission offsets, including a description of the State permit system as the means for making the offsets legally enforceable.

2. Upon submittal of attainment plans for TSP and SO₂ in Berlin, for TSP and CO in Manchester and for CO in Nashua: Include in the RFP line projected growth from sources exempted from the new source permit review.

3. No later than July 1, 1980: a. Adoption by the New Hampshire Air Resources Commission (NHARC) of a regulation governing construction and operation of major new and modified sources, which specifies that by the time the proposed source is to commence operation, total allowable emissions from existing sources, new or modified sources which are not major emitting facilities, and the proposed source will be sufficiently less than total allowable emissions from existing sources prior to the permit application so as to represent reasonable further progress.

b. Amendment of Regulation 16, Attachment 2, Section III.A.2. by the NHARC to require that sources owned or operated by the applicant must be in compliance with federal as well as state regulations and standards.

Conditional upon the state's satisfaction of the requirements stated in items 1-3 above by the specified dates, EPA proposes to approve New Hampshire's new source review and permit program as it affects sources locating in or impacting on areas which are not attaining NAAQS.

E. Resources Committed

The State has addressed the increased resources needed to carry out the described stationary and mobile source control measures. The New Hampshire Department of Public Works and Highways identified resources it will use in implementing the portion of the plan regarding attainment and maintenance of the air quality standards for CO and ozone. The Southern New Hampshire Regional Planning Commission

(responsible for implementing CO attainment and maintenance strategies in the Metropolitan Manchester Planning Study Area), and the Nashua Regional Planning Commission (responsible for implementing CO attainment and maintenance strategies in the Nashua Area Transportation Study) are applying for funds available under Section 175 of the Act. If funds are not granted as requested under Section 175, some funds provided pursuant to section 112 of the Federal Highway Act may be available. Continued federal support is essential.

Issues and Proposed Action: There are no issues. EPA proposes to approve this portion of the plan.

F. Evidence of Public, Local and State Involvement

In accordance with Section 174 of the Act, lead responsibility for preparing the various portions of the carbon monoxide and ozone control plans was delegated by the Governor to two State Metropolitan Planning Organizations (MPOs) and two State agencies. Throughout development of the SIP revision, meetings and briefings were conducted with and for local officials, legislators, regional planning commissions, State agencies and the Federal land manager's office.

In accordance with Section 172(b)(9), the State provided well-detailed and extensive documentation of public participation efforts for the planning process. Inclusion of a citizen's summary in the beginning of the SIP revision and a Clean Air Workshop held in November, 1978, were excellent efforts to evoke citizen involvement.

The SIP revision does not include an adequate identification and analysis of the air quality, health, welfare, economic, energy and social effects of the plan or of the alternatives considered by the State. Also there is no indication that such an analysis was made available for public review and comment. The SIP revision does not include a plan for sustaining future public participation efforts.

Proposed Action: EPA proposes approval of the participation and involvement efforts to date in the SIP revision development conditioned upon the submittal to EPA, as a SIP revision, by January 1, 1980 of the analysis and public comment on the health, welfare, air quality, economic, energy and social effects of the plan.

EPA proposes approval of the future public participation element conditioned upon compliance with grant conditions to be contained in the New Hampshire Fiscal Year 1980 program grant under Section 105 of the Act. EPA grant

guidance to the State requires the State to submit, as a SIP revision, by January 1, 1980, a comprehensive, detailed program for public involvement. A draft of this plan is due on November 15, 1979. That plan is also to make a commitment of resources to be devoted to the long-range effort.

II Non-Part D Requirements

A. Prevention of Significant Deterioration (PSD)

Part C and Section 110(a)(2)(D) of the Act establish limitations on the deterioration of air quality in those parts of the nation where the air quality is better than required by the NAAQS.

The amount of deterioration permitted is quantified by a table of air quality increments which appears in Section 163 of the Act. In effect, increments represent the amount of pollution that can be tolerated by an area without significantly deteriorating the clean air status of the area.

A principal means of protecting the increments is the review and regulation of new growth. At present EPA is operating a federal permit system designed to protect the increments and will continue to do so until the state adopts an equivalent program. Regulations under which the Agency is operating are found at 40 CFR Part 52.21 as published June 19, 1978 (43 FR 23388 to 26410). Regulations specifying requirements for approvable State plans are found at 40 CFR Part 51.24 as published June 19, 1978 (43 FR 23323 to 26388).

Many of the regulations were judicially challenged in the U.S. Court of Appeals for the District of Columbia Circuit. On June 18, 1979, the Court issued an opinion, *Alabama Power Company v. Costle*, No. 78-1003 (D.C. Circuit, June 18, 1979). The Court upheld in part and remanded in part the Agency's regulations. The Court also provided an opportunity for filing petitions for re-hearing, and specified that its mandate would be stayed until the Court responds to the petitions.

The Court's opinion may affect several aspects of the New Hampshire plan for preventing significant deterioration. When the Agency receives a final opinion from the Court, it will advise the State of those changes that are required by the Court's opinion and of those provisions which may be left intact or modified in accordance with the wishes of the State.

Description of the Plan: The New Hampshire regulations pertaining to PSD are found in Attachment 1 of New Hampshire Regulation 13. In addition,

the regulation is explained in the narrative portion of the SIP revision.

EPA compared the new Hampshire regulation with the requirements of 40 CFR 51.24, and has determined that the New Hampshire plan does not meet all of these requirements. The Agency's detailed review of these requirements is available for public inspection with the other public materials pertaining to this plan at the previously specified locations.

Issues: Amendments to the regulations are necessary to correct the following areas in which the plan is presently deficient: Definitions of "major modification" and "Best Available Control Technology (BACT)," prohibition of other dispersion techniques in addition to stack heights exceeding good engineering practice, public notice requirements, and discrepancies between the regulatory and narrative portions of the SIP.

In light of the decision in *Alabama Power Company v. Costle*, above, New Hampshire has decided not to proceed at this time with additional regulatory changes to Regulation 16 and Attachment 1. At a meeting on August 14, 1979 the state agreed to make changes to the PSD regulations after EPA promulgates new PSD regulations.

Proposed Action: Since the states' PSD program is not equivalent to the present federal program, EPA is proposing to disapprove the PSD program in the New Hampshire SIP revision.

B. Conflict of Interest—Section 128 requires that any existing state board which is empowered to approve or enforce permits required under the Act must have, as a majority, members who represent the public interest. Any member with any potential conflict of interest must disclose that fact.

A recently passed New Hampshire statute adjusts the membership of the Air Resources Commission to reflect these requirements.

Proposed Action: EPA is proposing to approve this section.

C. Interstate Pollution—Section 128 requires states to identify existing major sources which may significantly contribute to air pollution levels and to provide written notice to nearby states. In addition, it must do the same for any proposed major new stationary source.

On October 31, 1977 and November 1, 1977 the Director of the New Hampshire Air Pollution Control Commission wrote to officials of the states of Maine, Massachusetts and Vermont providing each with a list of sources which may significantly impact on each state. These letters were not included in the SIP revision received from the state on May

29, 1979 and were not made available for public inspection even though they were in the EPA Region I office files. By this notice of proposed rulemaking EPA is announcing that these letters have been made available for public inspection at the locations specified in the beginning of this notice.

The narrative portion of the SIP revision describes the State's procedures for notifying adjacent states of any proposed major new stationary sources which would significantly contribute to air pollution levels. This satisfies the other portion of the Section 126 requirements.

Proposed Action: EPA proposes to approve this section.

D. Monitoring—Section 110(a)(2)(C) and Section 319 require a comprehensive air quality monitoring network.

New Hampshire has not submitted any revisions to its existing monitoring network which is inadequate. Under 40 CFR Part 58 EPA promulgated new monitoring network requirements. The states have until January 1, 1980 to meet these requirements.

Proposed Action: None at this time.

E. Intergovernmental Consultation—Section 121 requires a state to provide a satisfactory process for consultation with local governments and federal land managers on the development of the SIP.

On June 18, 1979 EPA promulgated regulations concerning intergovernmental consultation (44 FR 35176). The State at this time is in partial fulfillment of the requirement articulated in these regulations that it produce a comprehensive consultation plan. The State has until December 18, 1979 to complete this requirement.

Proposed Action: None at this time.

F. Permit Fees—Section 110(a)(2)(K) requires each state to institute a fee system for those sources applying for a permit to cover the administrative costs of reviewing that application as well as those incurred in monitoring and enforcing the permit conditions.

A recently enacted New Hampshire statute contains the language necessary to give the state authority to impose a permit fee. EPA however, has not yet promulgated regulations concerning the permit fee requirements.

Proposed Action: None at this time.

G. Stack Height—Section 123 requires that the degree of emission limitation necessary under an applicable SIP not be affected by stack height in excess of good engineering practice or by other dispersion techniques. EPA proposed stack height regulations on January 12, 1979 (44 FR 2608), but has not promulgated regulations to date. This

state has not addressed this requirement in this SIP revision.

Proposed Action: None at this time.

H. Public Notification—Section 127 requires that States shall provide for notifying the public on a regular basis of instances or areas in which any primary standard was exceeded during any portion of the preceeding calendar year.

On May 10, 1979 (44 FR 27569) EPA promulgated regulations concerning public notification which require the state to submit, by March 1, 1980, a SIP revision that contains provisions to comply with the requirement. The state has not addressed this requirement in this SIP revision.

Proposed Action: None at this time.

Interested persons are invited to comment on these SIP revisions and whether they meet the requirements of the Act. Comments should be submitted, preferably in triplicate, to the address listed in the front of this notice. Public comments received by (30 days after the date of publication) will be considered in EPA's final decision. EPA believes the available period for comments is adequate because:

(1) The issues involved in the New Hampshire SIP are sufficiently clear to allow comments to be developed in the available thirty day period;

(2) The SIP has been available for inspection and comment since May 29, 1979. EPA's notice published on June 15, 1979 indicated the possibility that the comment period may be less than 60 days; and

(3) EPA has a responsibility under the Act to take final action as soon as possible after the July 1, 1979 deadline on those sections of the SIP that address the requirements of Part D.

All comments received will be available for inspection at Region I office, Room 1903, JFK Federal Building, Boston, Massachusetts 02203.

Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This notice of proposed rulemaking is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated September 11, 1979.

Rebecca W. Hanmer,
Acting Regional Administrator, Region I.

[FR Doc. 79-31068 Filed 10-5-79; 8:45 am]

BILLING CODE 6580-01-M

40 CFR Part 62**[FRL 1335-4]****Approval and Promulgation of State Plans for Designated Facilities and Pollutants, Alaska, Oregon, and Washington****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: EPA is today giving notice of its intention to approve certifications submitted by the Alaska Department of Environmental Conservation, the Oregon State Department of Environmental Quality and the Washington State Department of Ecology for negative declarations for certain source categories under Section 111(d) of the Clean Air Act, as amended.

DATE: Comments are requested by November 8, 1979.

ADDRESS: The certifications may be examined during normal business hours at the following locations:

Environmental Protection Agency, Air Programs Branch M/S 629, 1200 Sixth Avenue, Seattle, Washington 98101.

Environmental Protection Agency, Public Information Reference Unit, Room 2922, 401 M Street SW., Washington, D.C. 20460.

COMMENTS SHOULD BE ADDRESSED TO:

Laurie M. Kral, Environmental Protection Agency, Air Programs Branch M/S 629, 1200 Sixth Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT:

George C. Hofer, Chief, Technical Support and Special Projects Section M/S 625, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, Telephone No. (206) 442-1125, FTS No. 399-1125.

SUPPLEMENTARY INFORMATION: Section 111(d) of the Clean Air Act, as amended, requires EPA to establish procedures under which states submit plans to control certain existing sources of certain pollutants. On November 17, 1975 (40 FR 53340), EPA began to implement Section 111(d) by promulgating Subpart B of 40 CFR Part 60, establishing procedures and requirements for adoption and submittal of state plans for control of "designated pollutants" from "designated facilities." Designated pollutants are those not already listed under Section 108(a) of the Act (National Ambient Air Quality Standards) or Section 112(b)(1)(A) (Hazardous Air Pollutants), but for which standards of performance for new source have been established under Section 111(b) (Standards of Performance for New Stationary Sources).

If a State does not have a designated facility within its borders, a State may submit a certification of negative declaration in lieu of a control plan. The States of Alaska, Oregon and Washington have submitted such certifications for various designated pollutants.

EPA is therefore today proposing to approve the three (3) certifications of negative declaration. Comments on the proposed approval are invited through November 8, 1979. EPA will review and evaluate any comments received and publish a Notice of Final Rulemaking after the close of the comment period.

Part 62 of Chapter I, Title 40 Code of Federal Regulations is proposed to be amended by adding subparts C, MM and WW as follows:

Subpart C—Alaska**Fluoride Emissions From Phosphate Fertilizer Plants**

§ 62.350 Identification of plan—Negative declaration.

The Alaska Department of Environmental Conservation submitted on June 9, 1977, Certification that there are no existing phosphate fertilizer plants in the State subject to Part 60, Subpart B of this Chapter.

Acid Mist From Sulfuric Acid Plants

§ 62.351 Identification of plan—Negative declaration.

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing sulfuric acid plants in the State subject to Part 60, Subpart B of this Chapter.

Total Reduced Sulfur Emissions From Kraft Pulp Mills

§ 62.352 Identification of plan—Negative declaration.

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing kraft pulp mills in the State subject to Part 60, Subpart B of this Chapter.

Fluoride Emissions From Primary Aluminum Reduction Plants

§ 62.353 Identification of plan—Negative declaration.

The Alaska Department of Environmental Conservation submitted on June 9, 1977, certification that there are no existing primary aluminum reduction plants in the State subject to Part 60, Subpart B of this Chapter.

Subpart MM—Oregon**Fluoride Emissions From Phosphate Fertilizer Plants**

§ 62.9350 Identification of plan—Negative declaration.

The Oregon State Department of Environmental Quality submitted on June 1, 1977, certification that there are no existing phosphate fertilizer plants in the State subject to Part 60, Subpart B of this Chapter.

Acid Mist From Sulfuric Acid Plants

§ 62.9351 Identification of plan—Negative declaration.

The Oregon State Department of Environmental Quality submitted on January 27, 1978, certification that there are no existing sulfuric acid plants in the State subject to Part 60, Subpart B of this Chapter.

Subpart WW—Washington**Fluoride Emissions From Phosphate Fertilizer Plants**

§ 62.11850 Identification of plan—Negative declaration.

The Washington State Department of Ecology submitted on August 29, 1979, certification that there are no existing phosphate fertilizer plants in the State subject to Part 60, Subpart B of this Chapter.

(Secs. 111 and 301(a), Clean Air Act, as amended (42 U.S.C. 7413 and 7601))

Dated: September 21, 1979.

Donald DuBois,

Regional Administrator.

[FR Doc. 79-31097 Filed 10-5-79; 8:45 am]

BILLING CODE 6560-01-1A

DEPARTMENT OF THE INTERIOR**Office of Hearings and Appeals****43 CFR Part 4****Special Rules Applicable to Tribal Purchase of Interests Under Special Statutes, Including Hearings and Appeals**

AGENCY: Office of Hearings and Appeals, Department of the Interior.

ACTION: Proposed rule.

SUMMARY: This document proposes to revise Departmental regulations which carry out the objectives of the tribal purchase statutes, cited below. The proposed revisions, which incorporate suggestions offered by the tribes concerned, are intended to improve procedures for administration of the statutes and to simplify and reduce language in the regulations.

DATE: Comments must be received on or before December 10, 1979.

ADDRESS: Send comments to: Director, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Sara Russell, Attorney Adviser, Hearings Division, Office of Hearings and Appeals, (703) 557-9200.

SUPPLEMENTARY INFORMATION: The Yakima Tribes of Washington, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe of Idaho, have been granted the right by Congress to purchase, at fair market value as determined by the Secretary of the Interior after appraisal, while the decedent's estate is pending before an Administrative Law Judge, certain interests in trust or restricted land which would otherwise be inherited by a decedent's beneficiaries who are not enrolled members of such tribes and, except for the Confederated Tribes of the Warm Springs Reservation, who do not have one-fourth degree or more blood quantum of such tribes. (The Act of December 31, 1970 (Pub. L. 91-627; 84 Stat. 1874; 25 U.S.C. 607), amending section 7 of the Act of August 9, 1946 (60 Stat. 968; 25 U.S.C. 607); the Act of August 10, 1972 (Pub. L. 92-377; 86 Stat. 530); and the Act of September 29, 1972 (Pub. L. 92-443; 86 Stat. 74)). The tribal purchase statutes further provide that where a surviving spouse of a decedent is prohibited from acquiring a devise or inheritance, the spouse may, upon request, reserve a life estate in one-half of the interest acquired by the tribe.

43 CFR Part 4, Subpart D, contains, in §§ 4.300 through 4.317, the Department's regulations which implement the tribal purchase statutes. Upon requests under 43 CFR Part 14 by the above-named tribes and other interested persons, this office undertook a comprehensive review of those regulations. Interested persons were invited to submit comments and as a result thereof we received several proposals for revision. After full and careful consideration of all the comments received, this office proposes the following principal revisions:

1. Under proposed §§ 4.301(b), 4.302, 4.303, 4.306, 4.307, and 4.308, original filings concerning exercise of the tribal option and payment of funds will be made at the Superintendent's Office rather than with the Administrative Law Judge.

2. Under existing §§ 4.300(b)(2) and 4.301(d), blood quantum and enrollment in a tribe may be contested by the parties and determined by an

Administrative Law Judge after notice and hearing. In proposed §§ 4.210(c) and 4.300(b)(2), these issues will not be contested before an Administrative Law Judge but instead will be determined by the official tribal roll which will be binding on the Judge.

3. Under proposed § 4.301(b)(1), Administrative Law Judges, and not the Board of Indian Appeals, will determine the entitlement of a tribe to acquire a decedent's interests, the entitlement of a spouse to retain a life estate in one-half of an interest acquired by a tribe, and the fair market value of such interests. The Board will, however, retain its review function as provided under existing §§ 4.290-4.297 and proposed § 4.305.

4. Under existing § 4.301(c) and (d), a tribe has the right to make a general election to claim all interests becoming available in all probates, and all affected heirs whose interests are subject to the tribal option are deemed to be on notice of a tribe's intent to take without specific notice thereof. These provisions have been eliminated in the proposed sections; however, proposed § 4.301(a) provides that the probate decision, which is distributed to all parties in interest, must set forth the rights of a tribe and of the spousal election.

5. Under existing §§ 4.301(b) and (d), 4.303(a), 4.304, and 4.310, the probate decision becomes final 65 days after the probate order, and a notice of finality is then distributed by the Administrative Law Judge to all parties in interest. After that, a tribe has 45 days to elect to take available interests by filing a notice of election with the Judge. Upon expiration of this 45-day period, any party aggrieved by the probate decision relative to enrollment, blood quantum, the claim of a tribe to take, or the appraised value of the property, has 20 days to file a demand for hearing with the Judge. Twenty days after the decision on a demand for hearing becomes final, the tribe must file with the Superintendent a specific list of the interests it elects to take plus payment of not less than 10 percent of the fair market value of such interests.

It was suggested that this procedure takes too long and that there should only be one 60-day period after the mailing of the probate decision in which a tribe can elect to take available interests and a party aggrieved by the decision for any reason, including the valuation of the property, can file either a petition for rehearing or for a hearing. Others objected to the proposed short cut procedure and requested that the complete separation between the probate function and operation of the

tribal purchase statutes, which now exists under the regulations, remain in effect. It is our view that the probate decision should become final before elections are made under the tribal purchase statutes; however, some changes in the regulations to short cut the present procedure are desirable.

We are proposing, therefore, in proposed §§ 4.301(b), 4.302, and 4.304(a), the following procedure: the probate decision will become final 60 days after notice of the decision or 60 days after an order disposing of a petition for rehearing, and a tribe then has 45 days to elect to take available interests. The tribe elects to take such interests by filing a written notice of election with the Superintendent along with payment of at least 10 percent of the appraised value. The spousal election as well as the demand for hearing on the exercise of the tribal option and for valuations of the interests taken must then be made within 30 days after the tribe elects to take the interests in question.

6. Under existing §§ 4.303 and 4.304, the fair market value of the interests taken is determined as of the date of inspection or reappraisal. It was suggested that this provision caused problems and that the property should be appraised as of the date of decedent's death. Others suggested that valuations of the property should be made as of the date of taking, consistent with Federal condemnation proceedings (see Declaration of Taking Act, 40 U.S.C. 258(a)-258(e); *United States v. Dow*, 357 U.S. 17 (1958)). It is our view that the time of taking should fix the value of the property for purposes of just compensation under the tribal purchase statutes.

Accordingly, under proposed § 4.303 there will be two appraisal reports. The first one must be filed with the Administrative Law Judge at the probate hearing in order to determine how much the tribe owes when it exercises the tribal option (which date constitutes the time of taking). This appraisal will be made on the basis of the fair market value at the time of decedent's death. A second appraisal report will be ordered if the tribe exercises its option and will fix the value of the property taken for just compensation purposes. The second appraisal will be made on the basis of the fair market value as of the date of taking.

7. Under proposed § 4.301(b), a tribe would not have to claim all the interests specified in the probate decision but if could not break up an individual tract as it can under the existing regulations.

8. Under existing § 4.310(b), the initial payment can be reduced and the initial payment date deferred for good cause

shown. This has been eliminated in proposed section 4.308 for consistency with procedures in Federal condemnation proceedings in which a taking occurs when the condemning agency takes possession of the property or files a declaration of taking, and deposits with the court the estimated fair market value of the property taken.

9. Under proposed § 4.307(b), an Administrative Law Judge will confirm title in the affected heirs of devisees upon default in payment by a tribe of the full fair market value of the property taken.

The policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed amendments.

The principal author of the proposed revisions is Ms. Sara Russell, Attorney Adviser, Hearings Division, Office of Hearings and Appeals, Department of the Interior.

Note.—The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Exec. Order No. 12044 and 43 CFR Part 14.

Dated: October 2, 1979.

Ruth R. Banks,

Director, Office of Hearings and Appeals.

Accordingly, it is proposed to revise 43 CFR Part 4, Subpart D, as follows:

Subpart D—Special Rules Applicable to Tribal Purchase of Interests Under Special Statutes, Including Hearings and Appeals

§ 4.200 [Amended]

1. Section 4.200 is amended by changing the reference to § 4.317 to read § 4.312.

2. Section 4.210 is amended by revising paragraph (c) to read as follows:

§ 4.210 Commencement of probate.

* * * * *

(c) Where a tribe has a statutory option to purchase interests of a decedent, the Superintendent shall include in the data specified in paragraph (b) of this section a showing of the enrollment status in all cases and, where required by statute, the blood quantum in the tribe concerned, with respect to each probable heir or devisee, and such information as listed shall constitute prima facie evidence of the facts there shown. The inventory shall be verified by the title plant designated under § 4.236(b) that it is complete and accurate.

3. Sections 4.300 through 4.317 are revised to read as follows:

§ 4.300 Authority and scope.

(a) The rules and procedures set forth in §§ 4.300 through 4.312 apply only to proceedings in Indian probate which relate to tribal acquisition of certain interests of decedents in trust and restricted lands, as provided by:

(1) The Act of December 31, 1970 (Pub. L. 91-627; 84 Stat. 1874; 25 U.S.C. 607), amending section 7 of the Act of August 9, 1946 (60 Stat. 988; 25 U.S.C. 607), with respect to trust or restricted land within the Yakima Reservation or within the area ceded by the Treaty of June 9, 1855 (12 Stat. 1951);

(2) The Act of August 10, 1972 (Pub. L. 92-377; 86 Stat. 530), with respect to trust or restricted lands within the Warm Springs Reservation or within the area ceded by the Treaty of June 25, 1855 (12 Stat. 37);

(3) The Act of September 29, 1972 (Pub. L. 92-443; 86 Stat. 744), with respect to trust or restricted land within the Nez Perce Indian Reservation or within the area ceded by the Treaty of June 11, 1855 (12 Stat. 957);

(b)(1) In the exercise of probate authority, and Administrative Law Judge shall determine the entitlement of a tribe to acquire a decedent's interests in trust or restricted lands under the statutes; the entitlement of a surviving spouse to retain a life estate in one-half of the interest acquired by a tribe; and the fair market value of such interests, including the value of any life estate reserved by a surviving spouse.

(2) In the determination under paragraph (b)(1) of this section of the entitlement of a tribe to take and pay for the interests of an heir, devisee, or spouse, the issues of: (i) Enrollment or refusal of the tribe to enroll a specific individual and (ii) specification of blood quantum, where pertinent, shall be determined by the official tribal roll which shall be binding upon the Administrative Law Judge. For good cause shown, the Administrative Law Judge may stay the probate proceedings to permit an aggrieved party to pursue an enrollment application, grievance, or appeal through the established procedures applicable to the tribe.

§ 4.301 Conclusion of probate and procedures after conclusion of probate.

(a) *Conclusion of probate; findings in the probate decision.* When a decedent is shown to have owned land interests in and on any one or more of the reservations mentioned in the statutes enumerated in § 4.300, the probate proceedings relative to determination of heirs, approval or disapproval of a will

and the claims of creditors shall first be concluded as final for the Department in accordance with §§ 4.200-4.298 of this Subpart D. This decision, a copy of which shall be distributed to all parties in interest as required by § 4.240, will be referred to herein as the "probate decision." At the probate hearing a special preliminary finding shall be made on the record showing those interests in land, if any, which are subject to the tribal statutory option. The finding shall be reduced to writing in the probate decision setting forth the apparent rights of the tribe as against affected heirs or devisees and the right of a surviving spouse, whose interest is subject to the tribal option, to elect to reserve a life interest in one-half of such interest. A summary of the appraisal report shall be attached to the probate decision for the information of the parties. If the finding is that there are no interests subject to the tribal option, the case shall stand concluded.

(b) *Tribe's notice of election to take.* The probate decision becomes final 60 days after the mailing of the notice and decision as required by § 4.240 or 60 days after the mailing of the notice and order finally disposing of a petition for rehearing pursuant to § 4.241. Within 45 days after the probate decision becomes final each tribe may elect to take under the statutes all or a part of the available interests specified in the probate decision. If a tribe shall claim other or additional interests beyond those enumerated in the probate decision, it shall set forth in its claim the exact interests claimed and the grounds for such claim, but if lesser interests are claimed it need only describe those claimed; provided, however, no interest less than the decedent's total interest in any one individual tract may be claimed. The tribe shall file a written notice of election with the Superintendent, together with the tribe's certification that copies thereof have been mailed on the same date to the Administrative Law Judge and to the affected heirs to devisees. Simultaneously, the tribe shall pay to the Superintendent for deposit into the estate account not less than 10 percent of the appraised value of the property to be taken, which value shall be set forth in the appraisal report. The filing of the notice of election and the deposit of at least 10 percent of the appraised property value shall constitute the taking of the interests subject to the tribal option. Upon failure to file and mail the notice of election and to pay at least 10 percent of the appraised property value within 45 days after the probate decision becomes final, the right

to distribution of all unclaimed interests shall accrue to the heirs or devisees.

§ 4.302 Election by surviving spouse to reserve life estate.

When the heir or devisee whose interest is subject to the tribal option is a surviving spouse, the spouse may elect to reserve a life estate in one-half of such interest. The spouse shall file a written notice of election with the Superintendent within 30 days after the tribe has exercised its statutory option to take the interest in question, together with a certification that copies thereof have been mailed on the same date to the Administrative Law Judge and to the tribe. Failure to timely file a claim to a life estate shall constitute a waiver thereof.

§ 4.303 Appraisal report.

(a) *Order for appraisal.* In all probates, at the earliest possible stage of the proceeding before issuance of a probate decision, when the record reveals to the Superintendent: (1) That the decedent owned interests in land located on one or more of these reservations designated in § 4.300 and (2) that any one or more of the probable heirs or devisees, or the spouse, who may become a distributee of such interest upon completion of the probate proceeding, is not enrolled in or does not have the required blood quantum in the tribe of the reservation where the land is located to hold such interest against a claim thereto made by the tribe, the Superintendent shall, unless an appraisal has already been filled, order an appraisal of the decedent's interests and file in the probate an appraisal report with a summary thereof. This appraisal shall be made on the basis of the fair market value of the property, including fixed improvement, as of the date of decedent's death.

(b) *Supplemental appraisal report.* If a tribe elects to take interests subject to the tribal option, the Superintendent shall immediately order a second appraisal of the value of the property to be taken, which appraisal shall be submitted to the Superintendent within 10 days of the date of election. This supplemental appraisal shall be made on the basis of the fair market value of the property, including fixed improvements, as of the date of taking by the tribe. The time of taking shall fix the value of the property for purposes of just compensation under the statutes as well as the date on which the tribe's obligation to pay interest begins to run.

(c) *Who may conduct the appraisal; submission of the appraisal report and its supplement, if any, to the Administrative Law Judge; notice to the*

tribe and affected heirs and devisees.

The appraisal shall be conducted by qualified appraisers and shall include an inspection of the property appraised. The supplemental appraisal, if any, may or may not require reinspection depending upon the circumstances of each case. The appraisal report, including a summary thereof, and the supplemental appraisal, if any, shall be filed with the Administrative Law Judge. Copies of the report, including its summary, and of the supplemental appraisal, if any, shall be retained by the Superintendent of the reservation where the land is located for inspection by all parties in interest. The Superintendent shall promptly mail to the tribe and to each heir or devisee concerned, at his or her last known address, a notice of filing of the report, to which shall be attached a copy of the summary, and the supplemental appraisal, if any. The appraisal report and its supplement, if any, may be copied by interested parties at their expense and they may be examined at the office of the Superintendent or the Administrative Law Judge.

§ 4.304 Hearing.

(a) *Demand for hearing.* Any party in interest aggrieved by: (1) the exercise of the tribal option to take the property in question and/or (2) the valuation of the property to be taken as set forth in the supplemental appraisal report may, within 30 days after the tribe has elected to take such property, file with the Administrative Law Judge a written demand for hearing, together with a certification that copies thereof have been mailed on the same date to the Superintendent and to all other parties in interest. The demand must state specifically and concisely the grounds upon which it is based. Where necessary, the demand must be supported by market value appraisals, affidavits, and other documents.

(b) *Notice; burden of proof.* The Administrative Law Judge shall, immediately upon receipt of a demand for hearing, set a time and place therefor and shall issue and serve or mail notice thereof to all parties in interest not less than 20 days in advance; provided, that such date shall be set after the expiration of the 30-day period fixed for the filing of the demand for hearing as provided in § 4.304(a). At the hearing each party attacking the tribe's claim to take the property in question and/or the valuations of the interests shown by the supplemental appraisal report shall have the burden of proving his or her own position.

§ 4.305 Decision after hearing; appeal.

Upon conclusion of the hearing, the Administrative Law Judge shall issue a decision which shall determine all of the issues including, but not limited to, a judgment establishing the fair market value of those interests taken by the tribe, including any adjustment thereof made necessary by the election of a spouse to retain a life estate under the statutes. The Administrative Law Judge shall lodge the complete record relating to the demand for hearing with the title plant as provided in § 4.236(b), furnish a duplicate record thereof to the Superintendent, and mail a notice of such action together with a copy of the decision to each party in interest. The notice shall specify the right of appeal pursuant to §§ 4.291-4.297; provided, however, that a petition for rehearing shall not be required.

§ 4.306 Procedure for payment; liquidated damages.

A tribe exercises its statutory right to purchase interests of any affected heir or devisee by filing a written notice of election and by paying to the Superintendent for deposit into the estate account not less than 10 percent of the appraised value as provided in § 4.301(b). The tribe is obligated to pay the balance of the fair market value, as set forth in the supplemental appraisal report, plus interest on the unpaid balance at the rate of 8 percent per year, to the Superintendent for the affected parties within 1 year of the date of taking; provided, however, upon a showing in a written petition filed with the Administrative Law Judge prior to the expiration of the period provided herein, of good cause and of payment of the full 10 percent requirement, the Administrative Law Judge may issue an order extending the payment period for a period not to exceed 6 months or a second order on a like petition for a period not to exceed a second 6 months, and no more. In the event of default in payment by the tribe, all payments made by the tribe in accordance with this section are to be deemed liquidated damages payable to the affected heirs or devisees.

§ 4.307 Disposition of title after full payment or default.

(a) *Full payment.* Upon payment by the tribe of the full fair market value of the interests taken, as set forth in the supplemental appraisal report, the Superintendent shall issue a certificate to the Administrative Law Judge that this has been done and file therewith such documents in support thereof as the Administrative Law Judge may require. The Administrative Law Judge

shall thereafter (1) issue a decision that the United States holds title to such interests in trust for the tribe; (2) lodge the complete record, including the decision, with the title plant as provided in § 4.236(b); (3) furnish a duplicate record thereof to the Superintendent, and (4) mail a notice of such action together with a copy of the decision to each party in interest.

(b) *Default.* Upon default in the payment by the tribe of the full fair market value of the property taken, the Superintendent shall issue a certificate to that effect to the Administrative Law Judge who shall make a finding that the tribe has defaulted in its payments. Upon such finding, a judgment of default shall be issued foreclosing the tribe's right of purchase and directing distribution of the interests to the affected heirs or devisees.

§ 4.303 Disposition of income.

(a) During the pendency of the probate and up to the date of taking by the tribe, all income received or accrued from the land interests taken by the tribe shall be credited to the estate account to be disbursed to the creditors, or to the heirs or devisees, in accordance with the provisions of paragraph (c) of this section.

(b) Upon payment by the tribe of not less than 10 percent of the appraised value as provided in § 4.301(b), all income from the interests in land taken by the tribe shall be held by the Superintendent for the tribe pending the payment of the balance of the fair market value plus interest, and upon such payment the income shall be paid over to the tribe, but upon default by the tribe, the income shall be credited to the account of the heirs or devisees.

(c) When the probate fee and unsecured claims filed against the estate are allowed by the Administrative Law Judge pursuant to § 4.252 and there is insufficient money on hand and accrued to discharge the same, the income from the land interests acquired by the tribe shall be allocated and disbursed by the Superintendent to pay the claims the same as though the heir or devisee continued to hold the interests. On the date the estate is to be distributed, the Superintendent shall withhold from any funds paid in by the tribe an amount equal to the unpaid portion of such claims. The Superintendent has authority to and shall annually refund to the tribe an amount equal to any income it shall lose by the diversion thereof to pay claims during the period of time limited by § 4.251(d). Any funds remaining in the Superintendent's hands at the end of the period allowed for payment of claims shall then be

distributed to the heir or devisee originally entitled thereto or to his or her successor in interest. Any money thus refunded to the tribe shall be considered as a reduction of the fair market value of the interests purchased and paid for by the tribe.

§ 4.309 Omitted property (supplemental to § 4.272).

(a) When, after a final decision has been issued either under §§ 4.240, 4.286, 4.305 or 4.307, it appears that at his or her death the decedent owned interests in land which were omitted from the inventory of the estate, and that the newly-discovered interests are subject to a tribe's right and option to take and pay for all or any part thereof, the Superintendent shall report the matter to the Administrative Law Judge, including a description of the land, a description of the interests, and the current address of those heirs or devisees, or their successors, whose rights might be affected by the tribe's exercise of the option to take and pay for the omitted interests.

(b) Upon receipt of a report of omitted property issued under a paragraph (a) of this section, the Administrative Law Judge shall issue a modification order in accordance with the provisions of § 4.272. The tribe shall have 60 days after notice of the order to elect to take the interest which is subject to the tribal option and to pay not less than 10 percent of the appraised value as provided in § 4.301(b). Proceedings relative to a determination of the right of the tribe to take, the fair market value of the property taken, and the rights of the surviving spouse, shall be in accordance with the provisions of §§ 4.301 *et seq.*

§ 4.310 Improperly included property (supplemental to § 4.273).

When, after a decision has been issued either under §§ 4.240, 4.286, 4.305, or 4.307, it is found that property has been improperly included in the inventory at an estate and that the property was taken by the tribe under the mistaken belief that it had a statutory option to do so, the inventory shall be modified to eliminate such property in accordance with the provisions of § 4.273.

§ 4.311 Reopening (supplemental to § 4.262).

In any probate finally closed where reopening proceedings are initiated under § 4.242, tribe shall, in appropriate cases, be considered a party in interest entitled to notice, and it shall be subject to the decisions as in an original probate proceeding. When a probate is reopened, and the tribe elects to

participate, then insofar as applicable, §§ 4.300 *et seq.* of this subpart shall govern the proceedings.

§ 4.312 Compromise settlement (supplemental to 4.207).

If a dispute as to any issue shall arise during any of the foregoing proceedings which can be settled by a compromise pursuant to the provisions of § 4.207, the Administrative Law Judge may order distribution to the tribe as a party without the necessity of requiring the execution and approval of deeds to or from the tribe.

[FR Doc. 79-32035 Filed 10-5-79; 8:55 am]
BILLING CODE 4310-10-01

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket PS-53, Notice 4]

Transportation of Liquids by Pipeline; Valve Spacing on Pipelines Carrying Highly Volatile Liquids

AGENCY: Materials Transportation Bureau (MTB), DOT.

ACTION: Change of date for public hearing and extension of comment period.

SUMMARY: This notice changes the date for a public hearing concerning valve spacing on pipelines carrying highly volatile liquids to *December 12, 1979*, and extends the period for written comments on the same subject to *February 29, 1980*.

DATES: Comments must be filed by *February 29, 1980*. Late filed comments will be amended as far as practicable. As discussed hereafter, a public hearing will be held on *December 12, 1979*.

ADDRESS: Comments must be sent in triplicate to the Docket Branch, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C., 20590. The public hearing will be held in Room 2230 at the Nassif Building, 400 Seventh Street, SW, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, 202-426-2382.

SUPPLEMENTARY INFORMATION: An amended notice of proposed rulemaking was published September 13, 1979, (44 FR 53187) requesting written comments concerning appropriate valve spacing on pipelines carrying highly volatile liquids. The comments were to be submitted by October 30, 1979. Notice was also given of a public hearing concerning the same subject to be held on October 11, 1979.

The American Petroleum Institute (API) submitted a petition dated October 1, 1979, requesting that the public hearing be delayed to December 12, 1979, and the comment period be extended to April 1, 1980. The API argued that data does not exist to answer many of the questions raised in the notice and that an engineering analysis as well as a cost study must be undertaken to gain the needed information. The API requested that the public hearing be delayed and the comment period extended so that this information can be presented.

In view of the API request, the MTB hereby establishes December 12, 1979, as the date for the public hearing. However, in view of the urgency of the subject matter, the MTB is not inclined to grant all of the time requested as an extension to the comment period. The MTB believes that extending the comment period to February 29, 1980, will provide sufficient time to develop the needed information and yet maintain the necessary degree of urgency.

(18 U.S.C. 831-835, 49 U.S.C. 1655, 49 CFR Part 1.53(b) Appendix A of Part 1, and Appendix A of Part 106)

Issued in Washington, D.C., on October 3, 1979.

Melvin A. Judah,

Acting Associate Director for Pipeline Safety Regulation,

[FR Doc. 79-31063 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-60-M

Notices

Federal Register

Vol. 44, No. 183

Tuesday, October 9, 1979

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Pacific Crest National Scenic Trail Advisory Council; Meeting.

The Pacific Crest National Scenic Trail Advisory Council will meet on November 15-17, 1979, at the Waystation Inn, South Lake Tahoe, California. The meeting will begin on November 15 at 8:30 a.m. Weather permitting, a field trip(s) for members may be planned to view portions of the Trail on November 17.

The purpose of the meeting is to provide orientation to the Council members and to receive Council recommendations. The meeting will include a review of trail status through council and agency reports, discussion of volunteer efforts, coordination of regulations affecting the trail user, trailhead facilities, and strategies to acquire rights-of-way.

The meeting will be open to the public. Persons who wish additional information concerning the meeting should contact Alan Lamb, Recreation Staff Director, Pacific Southwest Region, Forest Service, 630 Sansome Street, San Francisco, California, 94111. Telephone (415) 556-6983.

Einar L. Roget,

Acting Chief.

September 26, 1979.

[FR Doc. 79-31074 Filed 10-5-79; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Bureau of the Census

Survey of Distributors' Stocks of Canned Foods; Notice of Consideration

Notice is hereby given that the Bureau

of the Census is planning to conduct its annual survey of inventories, covering stocks of 30 canned and bottled products, including vegetables, fruits, juices, and fish, as of December 31, 1979. This survey, which will be conducted under the provisions of title 13, United States Code, sections 182, 224, and 225, provides the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multiunit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry and the distributive trades, as well as governmental agencies. The data are not publicly available from nongovernmental or other governmental sources.

This survey, if conducted, shall begin not earlier than November 8, 1979.

Reports will not be required from all firms, but will be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases, with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger." (In addition, multiunit firms will be requested to update the list of their establishments maintaining canned food stocks.)

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of the Census, Washington, D.C. 20233. Any suggestions or recommendations concerning the subject matter of this survey will receive consideration if submitted in writing to the Director on or before November 8, 1979.

Dated: October 2, 1979.

Vincent P. Barabba,

Director, Bureau of the Census,

[FR Doc. 79-31065 Filed 10-5-79; 8:45 am]

BILLING CODE 3510-07-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Announcing Additional Import Controls on Certain Cotton Textile Products From the Republic of the Philippines

October 3, 1979.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Controlling women's woven cotton blouses in part of Category 341 (only T.S.U.S.A. numbers 382.0039, 382.3302, 382.3305, and 382.3309), produced or manufactured in the Philippines and exported to the United States during the agreement year which began on January 1, 1979, at a level of 78,339 dozen.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on January 4, 1978 (43 FR 884), as amended on January 25, 1978 (43 FR 3421), March 3, 1978 (43 FR 8828), June 22, 1978 (43 FR 26773), September 5, 1978 (43 FR 39408), January 2, 1979 (44 FR 94), March 22, 1979 (44 FR 17545), and April 12, 1979 (44 FR 21843))

SUMMARY: Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of August 22 and 24, as amended, between the Governments of the United States and the Republic of the Philippines, the United States has decided to control imports of cotton textile products in part of Category 341 (only T.S.U.S.A. numbers 382.0039, 382.3302, 382.3305, and 382.3309), produced or manufactured in the Philippines and exported to the United States during the twelve-month period which began on January 1, 1979 and extends through December 31, 1979, in addition to those categories previously designated (see 44 FR 92 and 52858).

EFFECTIVE DATE: October 10, 1979.

FOR FURTHER INFORMATION CONTACT:

Carl Ruths, International Trade Specialist, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-5423).

SUPPLEMENTARY INFORMATION: On January 2, 1979 and September 11, 1979, there were published in the Federal

Register (44 FR 92 and 52858) letters dated December 27, 1978 and September 6, 1979 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, which established levels of restraint for certain specified categories of cotton, wool and man-made fiber textile products, produced or manufactured in the Philippines, which may be entered into the United States for consumption or withdrawn from warehouse for consumption during the twelve-month period which began on January 1, 1979 and extends through December 31, 1979. Under the terms of the bilateral agreement, the United States Government has decided also to control imports of cotton textile products in part of Category 341 (only T.S.U.S.A. numbers 382.0039, 382.3302, 382.3305, and 382.3309), during that same period.

Accordingly, in the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry into the United States for consumption, or withdrawal from warehouse for consumption, of cotton textile products in Category 341 (only T.S.U.S.A. numbers 382.0039, 382.3302, 382.3305, and 382.3309), in excess of 78,339 dozen. The level of restraint has not been adjusted to account for any imports after December 31, 1978. Imports in that portion of Category 341 for which controls are being established amounted to 65,440 dozen during the period which began on January 1 and extending through July 31, 1979 and will be charged. When the data become available, additional charges will be made to account for the period which began on August 1, 1979 and extends through the effective date of this action.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

**Commissioner of Customs,
Department of the Treasury, Washington,
D.C.**

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive issued to you on December 27, 1978 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in the Philippines.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of August 22 and 24,

1977, as amended, between the Governments of the United States and the Republic of the Philippines; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on October 10, 1979 and for the twelve-month period beginning on January 1, 1979 and extending through December 31, 1979, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in part of Category 341 (only T.S.U.S.A. numbers 382.0039, 382.3302, 382.3305, and 382.3309), produced or manufactured in the Philippines, in excess of 78,339 dozen.¹

Cotton textile products in Category 341 (pt.) which have been exported to the United States prior to January 1, 1979 shall not be subject to this directive.

Cotton textile products in Category 341 (pt.) which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on January 4, 1978 (43 FR 884), as amended on January 25, 1978 (43 FR 3421), March 3, 1978 (43 FR 8828), June 22, 1978 (43 FR 3421), September 5, 1978 (43 FR 39408), January 25, 1979 (44 FR 94), March 22, 1979 (44 FR 17545), and April 12, 1979 (44 FR 21843).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The action taken with respect to the Government of the Republic of the Philippines and with respect to imports of cotton textile products from the Philippines has been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 79-31086 Filed 10-5-79; 8:45 am]

BILLING CODE 3510-25-M

Increasing Import Restraint Levels for Certain Cotton Textile Products From India

October 3, 1979.

AGENCY: Committee for the Implementation of Textile Agreements.

¹The level of restraint has not been adjusted to reflect any entries after December 31, 1978. Imports during the period, January-July 1979, have amounted to 65,440 dozen.

ACTION: Granting increases for flexibility, as applicable, to cotton apparel products in Categories 336 (dresses), 338/339/340 (men's and boys' shirts and women's, girls', and infants' knit shirts and blouses), 341 (women's girls', and infants' woven blouses), 347/348 (men's and boys', women's girls' and infants' trousers), and Categories 330/369, 431-469 and 630-669, as a group, during the agreement year which began on January 1, 1979. (A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on January 4, 1978 (43 FR 884), as amended on January 25, 1978 (43 FR 3421), March 3, 1978 (43 FR 8828), June 22, 1978 (43 FR 26773), September 5, 1978 (43 FR 39408), January 2, 1979 (44 FR 94), March 22, 1979 (44 FR 17545), and April 12, 1979 (44 FR 21843)).

SUMMARY: The Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 30, 1977, as amended, between the Governments of the United States and India, provides, among other things, for percentage increases to account for swing, carryover and carryforward during an agreement year. Under the terms of the bilateral agreement, as amended, and at the request of the Government of India, the import restraint levels for cotton apparel products in Categories 336, 338/339/340, 341, 347/348 and Categories 330/369, 431-469 and 630-669, as a group, are being increased during the agreement-year which began on January 1, 1979 and extends through December 31, 1979.

EFFECTIVE DATE: October 3, 1979.

FOR FURTHER INFORMATION CONTACT: Jane C. Bonds, International Trade Specialist, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-5423).

SUPPLEMENTARY INFORMATION: On January 9, 1979, there was published in the Federal Register (44 FR 2003) a letter dated January 5, 1979 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established import levels for certain specified categories of cotton, wool and man-made fiber textile products, produced or manufactured in India and exported to the United States during the twelve-month period which began on January 1, 1979. In the letter published below, in accordance with the provisions of the bilateral agreement and at the request of the Government of India, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of

Customs to increase the twelve-month levels of restraint previously established for Categories 336, 338/339/340, 341 and 347/348 and Categories 330-369, 431-469, and 630-669, as a group, to the designated amounts.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

October 3, 1979.

Commissioner of Customs,
Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: On January 5, 1979, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry for consumption and withdrawal from warehouse for consumption during the twelve-month period beginning on January 1, 1979 and extending through December 31, 1979 of cotton, wool and man-made fiber textile products in certain specified categories, produced or manufactured in India, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 30, 1977, as amended, between the Governments of the United States and India; and in accordance with the provisions of Executive Order 11651 of March 3, 1971, as amended by Executive Order 11951 of January 6, 1977, you are directed to amend, effective on October 3, 1979, the twelve-month levels of restraint established for visaed Categories 330-369,

¹The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 30, 1977, as amended, between the Governments of the United States and India which provide, in part, that, with the exception of apparel products in Categories 330-359 which are accompanied by the elephant-shaped certification, (1) within the aggregate, group limits may be exceeded by designated percentages; (2) these same levels may be increased for carryover and carryforward; (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

431-469 and 630-669, as a group, and Categories 336, 338/339/340, 341, and 347/348, whether the latter are accompanied by a visa or elephant-shaped certification, to the following:

*Category and Amended Twelve-Month Level of Restraint*²

330-369, 431-469 and 630-669—43,942,204 square yards equivalent.

336—188,961 dozen.

338/339/340—999,719 dozen.

341—2,138,277 dozen.

347/348—118,142 dozen.

The action taken with respect to the Government of India and with respect to imports of cotton textile products from India have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 79-31085 Filed 10-5-79; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence School Panel of the National Defense University and the Defense Intelligence School; Closed Meeting

Pursuant to the provisions of Sub-Section (d) section 10 of Pub. L. 92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a partially closed meeting of the Defense Intelligence School Panel of the Board of Visitors of the National Defense University and the Defense Intelligence School will be held on-site at the School

²The levels of restraint have not been adjusted to reflect any imports after December 31, 1978.

List of Cases Received by the Office of Hearings and Appeals

[Week of Aug. 10 through Aug. 17, 1979]

Date	Name and location of applicant	Case No.	Type of submission
Aug. 10, 1979.....	Bailey Brothers Bait & Tackle, Alexander City, Alabama.	DEA-0593.....	Appeal of Assignment Order. If granted: The July 25, 1979, Assignment Order issued by the Economic Regulatory Administration, Region IV, would be modified and Bailey Brothers Bait & Tackle would receive an increased allocation of motor gasoline.
Aug. 10, 1979.....	Babylon Racquet & Fitness Club, Horsham, Pennsylvania.	DEE-7799.....	Exception to Emergency Building Temperature Restrictions. If granted: Babylon Racquet and Fitness Club would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 10, 1979.....	Bethel Assembly of God, Portsmouth, New Hampshire.	DEE-7821.....	Allocation Exception. If granted: Bethel Assembly of God would be granted an allocation of fuel oil.
Aug. 10, 1979.....	Bill & Mike's Amoco, Pocatello, Idaho.....	DEE-7798.....	Price Exception. If granted: Bill & Mike's Amoco would be granted an exception from the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline.
Aug. 10, 1979.....	Crown Central Petroleum Corporation, Baltimore, Maryland.	DMR-0069.....	Request for Modification/Rescission. If granted: The DOE's June 23, 1979, Decision and Order issued to J&B Automotive would be modified with respect to Crown Central Petroleum Corporation's supply obligations to J&B Automotive.

in Washington, D.C. on November 6, 7 and 8, 1979.

Morning sessions on November 6, 7 and 8 will be devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and will therefore be closed to the public. Subject matter will be concerned with specialized instructional requirements and related curricula content.

H. E. Lofdahl,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

October 1, 1979.

[FR Doc. 79-31108 Filed 10-5-79; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Cases Filed With the Office of Hearings and Appeals; Week of August 10, 1979, Through August 17, 1979

Notice is hereby given that during the week of August 10, 1979 through August 17, 1979 the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under the DOE's procedural regulations, 10 CFR Part 205, any person who will be aggrieved by the DOE action sought in such cases may file with the DOE written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this Notice (October 9, 1979), or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Melvin Goldstein,

Director, Office of Hearings and Appeals.

September 28, 1979.

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Aug. 10 through Aug. 17, 1979]

Date	Name and location of applicant	Case No.	Type of submission
Aug. 10, 1979	Crown Central Petroleum Corporation, Baltimore, Maryland.	DEA-0587, DES-0587, DST-0587.	Appeal of Temporary Assignment Order. Request for Stay, Request for Temporary Stay. If granted: The June 25, 1979, Temporary Assignment Order issued to Crown Central Petroleum Corporation by the Economic Regulatory Administration Region II regarding Crown Central Petroleum Corporation's supply obligations to J&B Automotive would be rescinded. The firm would also receive a Stay and Temporary Stay of the Order pending a final determination on its appeal.
Aug. 10, 1979	Crown Central Petroleum Corporation, Washington, D.C.	DRX-0200	Supplemental Order. If granted: Crown Central Petroleum Corporation and the DOE Office of Special Counsel would receive an extension of a Stay of the proceedings involving a Proposed Remedial Order issued to Crown Central Petroleum Corporation (Case No. DRX-0111).
Aug. 10, 1979	Delhi Township Community Center, Delhi Township, Ohio.	DEE-7800	Exception to Emergency Building Temperature Restrictions. If granted: The Delhi Township Community Center would receive an exception from the provisions of 10 CFR Part 490, Emergency Building Temperature Restrictions.
Aug. 10, 1979	Longwood Furnace Corporation, Gallatin, Missouri.	DEE-7840	Exception to Energy Conservation Program for Consumer Products. If granted: Longwood Furnace Corporation would be permitted to market its dual fuel (wood & gas/oil) furnaces without regard to the testing provisions of 10 CFR Part 430, the Energy Conservation Program for Consumer Products.
Aug. 10, 1979	Marshall Oil Company, Inc., Wake Forest, North Carolina.	DEE-7869	Allocation Exception. If granted: Marshall Oil Company, Inc., would receive an exception from the provisions of 10 CFR Part 211, permitting the firm to receive an increased allocation of unleaded motor gasoline to be used in the blending of gasoline.
Aug. 13, 1979	Celebrity Beauty Academy, Richmond, Virginia.	DEE-7802	Exception to Emergency Building Temperature Restrictions. If granted: Celebrity Beauty Academy would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 13, 1979	Docktor Pet Center (Columbus, Ohio), Columbus, Ohio.	DEE-7801	Exception to Emergency Building Temperature Restrictions. If granted: Docktor Pet Center (Columbus, Ohio), would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 13, 1979	Exxon Company U.S.A., Dallas, Texas.	DEA-0586	Appeal of Assignment Order. If granted: The June 29, 1979, Assignment Order issued to Exxon Company U.S.A. by the Economic Regulatory Administration, Region VI, regarding the firm's supply obligations to BLT, Inc., would be rescinded.
Aug. 13, 1979	KUTV, Inc., Salt Lake City, Utah.	DFA-0581	Appeal of Information Request Denial. If granted: The August 3, 1979, Information Request Denial issued by the DOE Idaho Operations Office Manager would be rescinded and KUTV, Inc., would be granted access to certain DOE documents.
Aug. 13, 1979	Phillips Petroleum Company, Bartlesville, Oklahoma.	DEE-7804, DES-7804, DST-7804.	Price Exception; Request for Stay and Request for Temporary Stay. If granted: Phillips Petroleum Company would receive an exception from the provisions of 10 CFR Part 12.83 permitting the firm to pass through incremental expenses relating to the blending, storage, distribution, and marketing of gasoline. Phillips Petroleum Company would be granted a Stay and a Temporary Stay pending a final determination on its Application for Exception.
Aug. 13, 1979	Robert A. Williams, d.b.a. Southdale Shell and Tire Center, St. Paul, Minnesota.	DRS-0271	Request for Stay. If granted: Robert A. Williams d.b.a. Southdale Shell and Tire Center would be granted a Stay of the Interim Remedial Order for Immediate Compliance issued to the firm by the Economic Regulatory Administration, Region VI.
Aug. 13, 1979	Santa Clara County Service Station Dealers Association, Sunnyvale, California.	DST-0070	Request for Temporary Stay. If granted: The Santa Clara County Service Station Dealers Association would be granted a Temporary Stay of the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline.
Aug. 13, 1979	Siemens-Alis, Inc., Milwaukee, Wisconsin.	DEE-7803	Exception to Emergency Building Temperature Restrictions. If granted: Siemens-Alis, Inc., would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 14, 1979	Cities Service Oil Company, Tulsa, Oklahoma.	DEA-0590, DES-0590, DST-0590.	Appeal of Assignment Order, Request for Stay, and Request for Temporary Stay. If granted: The July 24, 1979, Assignment Order issued to Cities Service Oil Company (Cities Service), by the Economic Regulatory Administration, Region VI, regarding Cities Service's supply obligations to Oils, Inc. would be rescinded, Cities Service would receive a Stay and Temporary Stay pending a final determination on its appeal.
Aug. 14, 1979	Dave's Sunoco, Inc., Linden, New Jersey.	DRA-0591	Appeal of Remedial Order. If granted: The Interim Remedial Order for Immediate Compliance issued to Dave's Sunoco, Inc., by the Economic Regulatory Administration, Region II, regarding a violation of pricing regulations would be rescinded.
Aug. 14, 1979	Edward Albert Applegate, South Orange, New Jersey.	DEA-0594	Appeal of Mutual Termination Order. If granted: The May 16, 1979, Mutual Termination Order issued by the Economic Regulatory Administration, Region II, regarding the supply obligations of Chevron U.S.A. Inc., to Edward Albert Applegate would be modified.
Aug. 14, 1979	Getty Oil Company, Los Angeles, California.	DXE-7858 thru DXE-7861.	Extension of Relief granted in <i>Getty Oil Company</i> 3 DOE Par. (June 20, 1979). If granted: Getty Oil Company would be permitted to continue to sell crude oil produced from the Chamberlin Lease, the Davis' Lease, the Quati Lease, and the Luton Lease at upper tier ceiling prices.
Aug. 14, 1979	Greenhouse Hair Design, Larchmont, New York.	DEE-7834	Exception to Emergency Building Temperature Restrictions. If granted: Greenhouse Hair Design would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 14, 1979	Kansas Marine Dealers Association, Beverly, Kansas.	DEE-7849	Price Exception. If granted: Kansas Marine Dealers Association would be granted an exception from the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline.
Aug. 14, 1979	Knoll Enterprises, Ludlow, California.	DEE-7888	Price Exception. If granted: Knoll Enterprises would be granted an exception from the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline.
Aug. 14, 1979	Mutual of New York, Columbus, Ohio.	DEE-7836	Exception to Emergency Temperature Restrictions. If granted: Mutual of New York would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 14, 1979	North Tahoe-Truckee Gasoline Retailers, North Tahoe, California.	DES-0282, DST-0072.	Request for Stay and Request for Temporary Stay. If granted: The retailers of gasoline in the North Tahoe-Truckee area of California would receive a Stay and a Temporary Stay of the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline pending a final determination on the Application for Exception which they intend to file.
Aug. 14, 1979	Phillips Petroleum Company (Foote Lease), Oklahoma County, Oklahoma.	DXE-7866	Extension of relief granted in <i>Phillips Petroleum Company</i> , 3 DOE Par. (July 12, 1979). If granted: Phillips Petroleum Company would be permitted to continue to sell the crude oil produced at the Foote Lease, located in Oklahoma County, Oklahoma, at upper tier ceiling prices.
Aug. 14, 1979	Southern California Service Station Association, Newport Beach, California.	DST-0071	Request for Temporary Stay. If granted: Southern California Service Station Association would be granted a Temporary Stay of the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline.

List of Cases Received by the Office of Hearings and Appeals—Continued

(Week of Aug. 10 through Aug. 17, 1979)

Date	Name and location of applicant	Case No.	Type of submission
Aug. 14, 1979.....	Tenneco Oil Company, Washington, D.C.....	DRD-0226.....	Motion for Discovery. If granted: Discovery would be granted to Tenneco Oil Company regarding the Statement of Objections submitted in response to the Interim Remedial Order for Immediate Compliance issued to the firm (Case No. DRO-0226).
Aug. 14, 1979.....	Whitehead Oil Company, Lincoln, Nebraska.....	DEE-7965.....	Allocation Exception. If granted: Whitehead Oil Company would be granted an exception from the provisions of 10 CFR Part 211 permitting the firm to receive an allocation of unleaded motor gasoline for the purposes of blending gasohol.
Aug. 14, 1979.....	William M. Gardern, Ph. D., Jacksonville, Alabama.....	DEE-7885.....	Allocation Exception. If granted: William M. Gardern, Ph. D., would be granted an exception from the provisions of 10 CFR Part 211 and would receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.
Aug. 15, 1979.....	American Air Filters, Louisville, Kentucky.....	DEE-7839.....	Exception to Emergency Building Temperature Restrictions. If granted: American Air Filters would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 15, 1979.....	Bonnie Belle, Miami, Florida.....	DEE-7837.....	Exception to Emergency Building Temperature Restrictions. If granted: Bonnie Belle would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 15, 1979.....	Bethlehem Grinding Service, Delmar, New York.....	DEE-7838.....	Exception to Emergency Building Temperature Restrictions. If granted: Bethlehem Grinding Service would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 15, 1979.....	Debbie Friend, Barston, California.....	DEE-7856.....	Price Exception. If granted: Debbie Friend would be granted an exception from the provisions of 10 CFR Part 212 with respect to the pricing of motor gasoline.
Aug. 15, 1979.....	Mobil Oil Corporation, New York, New York.....	DEA-0589.....	Appeal of Allocation Notice. If granted: The June 25, 1979, Allocation Notice for the Canadian Crude Oil Allocation Program for the allocation period beginning July 1, 1979, would be modified and two refineries owned by Ashland Oil, Inc. and Koch Refining Company, Inc., would change from first to second priority status.
Aug. 15, 1979.....	National Association of Rehabilitation Facilities, Washington, D.C.....	DEE-7836.....	Exception to Emergency Building Temperature Restrictions. If granted: The National Association of Rehabilitation Facilities would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 15, 1979.....	Pennzoil Producing Company, Yazoo County, Mississippi.....	DXE-7852.....	Extension of relief granted in <i>Pennzoil Producing Company</i> , 3 DOE Par. (June 29, 1979). If granted: Pennzoil Producing Company would be permitted to continue to sell the crude oil produced at the Perry Sand Waterflood Unit, located in Yazoo County, Mississippi, at upper tier ceiling prices.
Aug. 16, 1979.....	Atlantic Richfield Company, Cook Inlet, Alaska.....	DEE-7864.....	Extension of relief granted in <i>Atlantic Richfield Co.</i> 3 DOE Par. (August 2, 1979). If granted: Atlantic Richfield Company would be permitted to continue to sell crude oil produced from the Platform Spark, located at Cook Inlet, Alaska, at upper tier ceiling prices.
Aug. 16, 1979.....	C. F. Lawrence & Associates, Inc., Pecos County, Texas.....	DXE-7889.....	Extension of relief granted in <i>C. F. Lawrence and Associates, Inc.</i> , 3 DOE Par. (June 20, 1979). If granted: C. F. Lawrence and Associates, Inc., would be permitted to continue to sell the crude oil produced at the Childress MI Masterson Lease, located in Pecos County, Texas, at upper tier ceiling prices.
Aug. 16, 1979.....	E. I. du Pont de Nemours & Company, Gibbstown, New Jersey.....	DEE-7882.....	Exception to Emergency Building Temperature Restrictions. If granted: E. I. du Pont de Nemours & Co. would receive an exception to the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 16, 1979.....	Eastern Shore Oil Company, Cambridge, Maryland.....	DEE-7886.....	Allocation Exception. If granted: Eastern Shore Oil Company would be granted an exception to the provisions of 10 CFR Part 211 permitting the firm to receive an increased allocation of unleaded motor gasoline for the purpose of blending gasohol.
Aug. 16, 1979.....	McCall Marketing Company, Washington, D.C.....	DEE-7887.....	Allocation Exception. If granted: McCall Marketing Company would be granted an exception from the provisions of 10 CFR Part 211 permitting the firm to receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.
Aug. 16, 1979.....	Rex Monahan (Basin Unit), Campbell County, Wyoming.....	DXE-7862.....	Extension of relief granted in <i>Rex Monahan</i> 3 DOE Par. (July 31, 1979). If granted: Rex Monahan would be permitted to continue to sell the crude oil produced at the Basin Unit, located in Campbell County, Wyoming, at upper tier ceiling prices.
Aug. 16, 1979.....	Shirely's Hairstyling Salon, Richmond, Virginia.....	DEE-7883.....	Exception to Emergency Building Temperature Restriction. If granted: Shirley's Hairstyling Salon would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 16, 1979.....	Villa Rica Clinic, Villa Rica, Georgia.....	DEE-7884.....	Exception to Emergency Building Temperature Restrictions. If granted: Villa Rica Clinic would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 17, 1979.....	Big D & W Refining and Solvent Co., Inc., Van Buren, Arkansas.....	DEE-7895.....	Allocation Exception. If granted: Big D & W Refining and Solvent Co., Inc., would be granted an exception from the provisions of 10 CFR Part 211 permitting the firm to receive an allocation of unleaded motor gasoline for the purpose of blending gasohol.
Aug. 17, 1979.....	Dodge City Public Library, Dodge City, Kansas.....	DEE-7891.....	Exception from the Emergency Building Temperature Restrictions. If granted: The Dodge City Public Library would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.
Aug. 17, 1979.....	Joseph F. Troy, Los Angeles, California.....	DEE-7890.....	Exception to the Emergency Building Temperature Restrictions. If granted: Joseph F. Troy would receive an exception from the provisions of 10 CFR Part 490, the Emergency Building Temperature Restrictions.

List of Cases Involving the Standby Petroleum Product Allocation Regulations for Motor Gasoline

Week of Aug. 10 Through Aug. 17, 1979

If granted: The Following firms would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.

Airline Exxon.....	DEE-7808.....	08/10/79.....	Alabama.
Aldrich's Garage & Auto Body.....	DEE-7809.....	08/10/79.....	New Hampshire.
B & J Taxi, Inc.....	DEE-7815.....	08/10/79.....	Massachusetts.
Bob & Roy's Standard.....	DEE-7785.....	08/10/79.....	Minnesota.
Bob's Service Center.....	DEE-7810.....	08/10/79.....	Rhode Island.
Bob's Taxi Company, Inc.....	DEE-7812.....	08/10/79.....	Massachusetts.
Cities Service Company.....	DEE-7788.....	08/10/79.....	Louisiana.
City of Mayfield, Kentucky.....	DEE-7822.....	08/10/79.....	Kentucky.
Crossroads Gulf Service Stat.....	DEE-7806.....	08/10/79.....	Virginia.
De Kalb County School System.....	DEE-7820.....	08/10/79.....	Georgia.

List of Cases Involving the Standby Petroleum Product Allocation Regulations for Motor Gasoline—Continued

Dann's Wesley Chevron Service	DEE-7807	08/10/79	California
Draper Fuel Company, Inc.	DEE-7710	08/10/79	New Hampshire
Lake Hemet Muni Water District	DEE-7787	08/10/79	California
Lazarou Motors, Inc.	DEE-7578	08/10/79	Maine
Midwest City/Del City School	DEE-7819	08/10/79	Oklahoma
Miller Oil Company	DEE-7818	08/10/79	District of Columbia
Morgan's Exxon	DEE-7814	08/10/79	Maine
Sage Creek Refining Company	DEE-7025	08/10/79	Wyoming
Santa Fuel, Inc.	DEE-7811	08/10/79	Connecticut
Skogen's Standard	DEE-7816	08/10/79	Minnesota
Tankersley's Service Center	DEE-7817	08/10/79	Alabama
Village Arco	DEE-7813	08/10/79	Massachusetts
West Canyon Mobil	DEE-7956	08/10/79	Oregon
Action Truck Stop	DEE-7823	08/13/79	Arizona
Board School Commiss. Indianap.	DEE-7832	08/13/79	Indiana
Bob's Shell Car Wash	DEE-7830	08/13/79	Michigan
Coastal Energy Company	DEE-7833	08/13/79	Mississippi
Connecticut Limo Service, Inc.	DEE-7824	08/13/79	Connecticut
Daniel's Mini Mart	DEE-7827	08/13/79	North Carolina
Don's Beavercreek Gulf	DEE-7826	08/13/79	Ohio
Donde's Texaco	DEE-7829	08/13/79	Pennsylvania
Flag Oil Co	DEE-7968	08/13/79	Florida
G & S Cilgo Services	DEE-7987	08/13/79	New Jersey
Gennuso's Service	DEE-7831	08/13/79	California
Hallman's Budget Rent-A-Car	DEE-7825	08/13/79	New York
T & M Motors	DEE-7828	08/13/79	Connecticut
A & R Service Center	DEE-7966	08/14/79	Massachusetts
Blickerstaff, Willie E.	DEE-7850	08/14/79	Arkansas
Bosar Enterprises, Inc.	DEE-7870	08/14/79	New York
Capital Enterprises Systems	DEE-7871	08/14/79	New York
Capital Enterprises Systems	DEE-7872	08/14/79	New York
Chase Oil Company	DEE-7931	08/14/79	Pennsylvania
Colesville Exxon	DEE-7865	08/14/79	Maryland
Duke Street Exxon & Sava, Inc.	DEE-7857	08/14/79	Virginia
H. D. Wilson Oil Co., Inc.	DEE-7845	08/14/79	South Carolina
Korzenborn Service	DEE-7964	08/14/79	Kentucky
Montross Logging	DEE-7846	08/14/79	Virginia
National Car Rental	DEE-7848	08/14/79	Pennsylvania
North Lake Car Wash	DEE-7887	08/14/79	Florida
Northlake Marina	DEE-7875	08/14/79	Florida
Ramsey Brothers	DEE-7843	08/14/79	Illinois
Swift's Food Store	DEE-7847	08/14/79	Florida
Viles Oil Company	DEE-2712	08/14/79	Missouri
Bob Miller DX Service Station	DEE-7863	08/15/79	Oklahoma
Housley Distributing, Inc.	DEE-8113	08/15/79	New Mexico
Larry's Sales & Repair	DEE-8136	08/15/79	Connecticut
Midri's Amoco Service	DEE-7853	08/15/79	Pennsylvania
Morimoto Farms	DEE-7851	08/15/79	California
Westvaco Corporation	DEE-7854	08/15/79	Maryland
Alameda Texaco	DEE-7879	08/16/79	California
Ashton Fuel	DEE-7878	08/16/79	Massachusetts
Bray Terminals, Inc.	DEE-7933	08/16/79	New York
Edward Levy Metals, Inc.	DEE-7877	08/16/79	Louisiana
Hocker U-Haul Company	DEE-7880	08/16/79	Illinois
Mid Atlantic Petroleum	DEE-7881	08/16/79	Maryland
Trad'n Post	DEE-7842	08/16/79	Virginia
C. F. Spiegel Oil Company	DXE-7896	08/17/79	Missouri
CM Leasing Corporation	DEE-7726	08/17/79	Massachusetts
Dennis K. Burke, Inc.	DEE-7672	08/17/79	Massachusetts
Ed's Cilgo Station	DEE-7902	08/17/79	Massachusetts
Fantoni Company, Inc.	DEE-7901	08/17/79	Massachusetts
Lenawee Fuels, Inc.	DEE-7897	08/17/79	Michigan
North Bellmore Exxon	DXE-7973	08/17/79	New York
Snyders Gateway, Inc.	DEE-7894	08/17/79	Pennsylvania
Triangle Oil Company	DEE-7893	08/17/79	Maryland
Vickers Petroleum Corp	DEE-7898	08/17/79	Kansas
Weekley's Exxon Service Station	DXE-7903	08/17/79	California
Whetstone's Amoco	DEE-7900	08/17/79	Pennsylvania

[FR Doc. 79-31041 Filed 10-5-79; 8:45 am]

BILLING CODE 6450-01-M

Preparation of Environmental Impact Statement and Conduct of Public Scoping Meeting

Notice is hereby given that, in accordance with the National Environmental Policy Act, the U.S. Department of Energy (DOE) intends to prepare a Draft Environmental Impact Statement (DEIS) to assess the

environmental implications of a proposed DOE action to fund or cost-share the construction and operation of a proposed Solvent Refined Coal (SRC-I) Demonstration Plant to be located in Daviess County, Kentucky. The proposed facility will convert approximately 6,000 tons per day of high sulfur coal into a low sulfur, ash free,

solid fuel plus by-product materials. A second demonstration facility, utilizing the SRC-II process is under consideration for construction near Morgantown, West Virginia.

On July 10, 1978, DOE awarded a contract for conceptual design of a demonstration facility to Southern Company Services, Inc. Conceptual

design, economic, market, and environmental studies were completed on July 31, 1979.

The proposed SRC-I Demonstration Plant is a joint project of the Department of Energy and Southern Company Services, Incorporated, and to the maximum extent possible, is designed as a module of a future commercial production facility. Additional modules may be built at the same site if the demonstration proves successful.

The solvent refined coal (SRC) process converts high-sulfur coal into a low-sulfur, low-ash fuel product through the reaction of a slurry of pulverized coal in a process-generated solvent with hydrogen at high temperature and pressure. The process under consideration for this demonstration plant, designated as SRC-I, produces a solid fuel product; a modified process designated SRC-II, produces a solid fuel product. The product materials are separated from a residue which contains most of the ash-forming inorganic minerals plus significant quantities of carbon. This residue will be gasified through partial oxidation and reacted with steam to produce the hydrogen required for the process. The gasifier produces a sludge which is the major waste produced by the process and is similar to that from a wet-bottom, coal-fired boiler. Most of the sulfur and part of the nitrogen initially present in the coal react with hydrogen in the dissolver to produce hydrogen sulfide and ammonia which must be removed from the off-gas.

The objectives of the SRC-I demonstration are to: (a) demonstrate the technical, environmental, and economic feasibility of producing an ash free, low sulfur, solid fuel from coal by the SRC process, and (b) secure a demonstration plant to advance the present state of the art in the field of direct liquefaction of coal, and (c) encourage commercialization of the SRC process. The design phase is being funded by the Government; construction and operation phases of the project may be on a cost-shared or fully-Government funded basis. At the end of a successful demonstration phase, the industrial partner will have the option to purchase the Government interest in the facility.

The purpose of this Notice is to present pertinent background information regarding the proposed scope and content of the Statement and to solicit comments and suggestions for consideration in its preparation. The environmental and socioeconomic impacts of the proposed liquefaction facility will be assessed in the draft environmental impact statement. This EIS will examine, to the extent possible,

effects of construction of future plant modules at the same site.

Identification of Environmental and Socioeconomic Issues

The following issues will be analyzed during the preparation of the EIS. This list is not intended to be all-inclusive, nor is it intended to be a predetermination of impacts.

- (1) The competition for labor among the proposed project and other planned projects in the area, and the effects of the resulting labor immigration on the local infrastructure.
- (2) The exposure of the public to noise and odor.
- (3) The effects of flooding by the Green River.
- (4) The effects of coal and ash storage, and plant runoff on groundwater quality.
- (5) The effects of the treated liquid discharge and construction runoff on water quality and ecology in the Green River and the Richland Slough.
- (6) The effects of potential earthquakes.
- (7) The effects of potential accidents and product spills on water quality and ecology.
- (8) The effects of water consumption on water availability and aquatic ecology.
- (9) The effects of construction on present and future land use and terrestrial ecology.
- (10) The effects of the proposed facility on air quality including the combined effects with other major existing and planned emission sources in the area.
- (11) The effects of fugitive air emissions on air quality and human health.

Alternatives

The EIS for the proposed action will examine the environmental effects of the action and compare them to the environmental effects of reasonable alternatives. The action will be considered from the standpoint of demonstration plant construction and operation and, to the extent possible, the future options of commercialization, mothballing, and decommissioning. The EIS will examine the following alternatives to the proposed action: alternative fossil energy development and demonstration programs; alternate fates for this project, including no action and delayed action; alternative plant site and alternative plant designs.

Comments and Scoping Meeting

All interested parties are invited to attend a scoping meeting and submit comments or suggestions in connection with the preparation of the EIS. Written

comments or suggestions may be submitted in lieu of or in addition to participation at the scoping meeting. Those desiring to submit comments or suggestions for issues to be addressed in the Draft EIS should submit them to the following address: Mr. John F. Pearson, Jr., Assistant Manager for Solvent Refined Coal Projects, Attn: Mr. R. C. Martin, U.S. Department of Energy, Post Office Box E, Oak Ridge, Tennessee 37830.

Those wishing to participate in the scoping process may attend public meetings to be held at the International Room of the Executive Inn-Rivermont in Owensboro, Kentucky, at 7:30 PM the evening of October 24, 1979; or at the Executive Inn-Watterson Expressway/Fairground in Louisville, Kentucky beginning at 7:30 PM the evening of October 25, 1979.

The meeting will not be conducted as an evidentiary hearing and those who choose to make statements may not be cross examined by other speakers. To provide the Department of Energy with as much pertinent information as possible and as many views as can reasonably be obtained, and to provide interested persons with equitable opportunities to express their views:

1. Speakers will be called on to testify in the order they sign-in expressing their intent to speak.

2. Should any speaker desire to provide further information for the record, it may be submitted in writing within ten days subsequent to the meeting. Written comments will be considered and given equal weight to oral comments.

3. A transcript of the meeting will be retained by DOE and made available for inspection at the Freedom of Information Library, Room GA-152, Forrestal Bldg., 1000 Independence Ave., N.W., Washington, D.C. 20585 between the hours of 8:00 AM and 4:30 PM, Monday through Friday.

Upon completion of the Draft EIS, its availability will be announced in the Federal Register and public comments will again be solicited. Those not desiring to submit comments or suggestions at this time but who would like to receive a copy of the Draft EIS for review and comments when it is issued should also notify the above contact or: Dr. Robert J. Stern, Acting Director, NEPA Affairs Division, Office of the Assistant Secretary for Environment, Attn: Mr. J. William Ichord, U.S. Department of Energy, Room 4C-084, Forrestal Building, 1000 Independence Avenue, S.W., Washington, DC 20585, (202) 252-4610.

Copies of the documents currently planned to be used in the preparation of

the Draft EIS are available for public inspection at:

Department of Library & Archives,
Commonwealth of Kentucky, Berry Hill,
Frankfort, Kentucky 40601.
Owensboro-Daviess County Public Library,
450 Griffith Avenue, Owensboro, Kentucky
42301.
Evansville Public Library, 22 SE Fifth Street,
Evansville, Indiana 47708.
Department of Energy, Iron Works Pike,
Lexington, Kentucky 40578.

In addition, a copy of the bibliography of these documents is available for inspection at the following DOE locations:

Public Reading Room, F01, Room GA-152,
1000 Independence Avenue, SW.,
Washington, DC.
Albuquerque Operations Office, National
Atomic Museum, Kirkland Air Force Base
East, Albuquerque, New Mexico.
Chicago Operations and Regional Office, 9800
South Cass Avenue, Argonne, Illinois.
Chicago Operations and Regional Office, 175
West Jackson Boulevard, Chicago, Illinois.
Idaho Operations Office, 550 Second Street,
Idaho Falls, Idaho.
Nevada Operations Office, 2753 South
Highland Drive, Las Vegas, Nevada.
Oak Ridge Operations Office, Federal
Building, Oak Ridge, Tennessee.
Richland Operations Office, Federal Building,
Richland, Washington.
Energy Information Center, 215 Fremont
Street, San Francisco, California.
Savannah River Operations Office, Savannah
River Plant, Aiken, South Carolina.

And also at the Regional Energy/
Environment Information Center,
Denver Public Library, 1357 Broadway,
Denver, Colorado.

Dated at Washington, D.C. this 3rd day of
October 1979.

For the United States Department of
Energy.

Ruth C. Glusen,
Assistant Secretary for Environment.

[FR Doc. 79-31172 Filed 10-5-79; 8:45 am]

BILLING CODE 6450-01-M

Preparation of Environmental Impact Statement and Conduct of Public Scoping Meeting

Notice is hereby given that, in accordance with the National Environmental Policy Act, the U.S. Department of Energy (DOE) intends to prepare a draft environmental impact statement (DEIS) to assess the environmental implications of a proposed DOE action to fund or cost-share the construction and operation of a proposed Solvent Refined Coal (SRC-II) Demonstration Plant to be located in Monongalia County, West Virginia. The proposed facility will convert approximately 6000 tons per day of high

sulfur coal into a low sulfur, ash free, liquid fuel plus by-product materials. A second demonstration facility, utilizing the SRC-I process which produces a solid fuel is under consideration for construction near Owensboro, Kentucky.

On July 10, 1978, DOE awarded a contract for conceptual design of a demonstration facility to Pittsburgh and Midway Coal Mining Company. Conceptual design, economic, market, and environmental studies were completed on July 31, 1979.

The proposed SRC-II Demonstration Plant is a joint project of DOE and Gulf Oil Corporation and to the maximum extent possible is designed as a module of a future commercial production facility. Additional modules may be built at the same site if the demonstrations prove successful.

The solvent refined coal (SRC) process converts high sulfur coal into a low sulfur, low ash fuel product through the reaction of a slurry of pulverized coal in a process generated solvent with hydrogen at high temperature and pressure. A process designated as SRC-I produces a solid fuel product; the SRC-II process under consideration for this facility utilizes a combination of more severe reaction conditions and increased residence time to produce a liquid fuel product plus pipeline gas and other by-products. The produce materials are separated from a residue which contains most of the ash forming inorganic minerals plus significant quantities of carbon. This residue will be gasified through partial oxidation and reacted with steam to produce the hydrogen required for the process. The gasifier produces a slag similar to that from a wet-bottom, coal fired boiler which is the major waste produced by the process. Most of the sulfur and part of the nitrogen initially present in the coal react with hydrogen in the dissolver to produce hydrogen sulfide and ammonia which must be removed from the off-gas.

The objectives of the SRC-II demonstration program are to: (a) demonstrate the technical, environmental, and economic feasibility of producing an ash free, low sulfur, liquid fuel from coal by the SRC-II process, and (b) secure a demonstration plant to advance the present state of the art in the field of direct liquefaction of coal, and (c) encourage commercialization of the SRC process. The design phase is being funded by the Government; construction and operation phases of the project may be on a cost-shared or fully-Government funded basis. At the end of a successful demonstration phase, the industrial

partner will have the option to purchase the Government interest in the facility.

The purpose of this Notice is to present pertinent background information regarding the proposed scope and content of the Statement and to solicit comments and suggestions for consideration in its preparation. The environmental and socioeconomic impacts of the proposed liquefaction facility will be assessed in the draft environmental impact statement. This EIS will examine, to the extent possible, effects of construction of future plant modules at the same site.

Identification of Environmental and Socioeconomic Issues

The following issues will be analyzed during the preparation of the EIS. This list is not intended to be all-inclusive, nor is it intended to be a predetermination of impacts.

(1) The competition for labor among the proposed project and other planned projects in the area, and the effects of the resulting labor immigration on the local infrastructure.

(2) The effects of the proposed action on the community of Fort Martin.

(3) An evaluation of the tax assessment procedures and distribution with attention to state and local tax jurisdictions.

(4) The exposure of the public to noise and odors.

(5) The relationship between the proposed Stonewall Jackson Dam and the proposed project.

(6) The effects of potential flooding by the Monongahela River.

(7) The effects of coal and ash storage, and plant runoff on surface water and groundwater quality, and aquatic ecology.

(8) The effects of the proposed facility on air quality including the combined effects with other major existing or planned emission sources in the area.

(9) The effects of potential accidents and product spills on human health.

(10) The effects of potential accidents and product spills on water supply and ecology.

(11) The effects of water consumption or water availability and aquatic ecology.

(12) The effects of construction on present and future land use and terrestrial ecology.

Alternatives

The EIS for the proposed action will examine the environmental effects of the action and compare them to the environmental effects of reasonable alternatives. The action will be considered from the standpoint of demonstration plant construction and

operation and, to the extent possible, the future options of commercialization, mothballing, and decommissioning. The EIS will examine the following alternatives to the proposed action: alternative fossil energy development and demonstration programs; alternate fates for this project, including no action and delayed action; alternative plant site and alternative plant designs.

Comments and Scoping Meeting

All interested parties are invited to attend a scoping meeting and submit comments or suggestions in connection with the preparation of the EIS. Written comments or suggestions may be submitted in lieu of or in addition to participation at the scoping meeting. Those desiring to submit comments or suggestions for issues to be addressed in the Draft EIS should submit them to the following address: Mr. John F. Pearson, Jr., Assistant Manager for Solvent Refined Coal Projects, Attn.: Mr. R. C. Martin, U.S. Department of Energy, Post Office Box E, Oak Ridge, Tennessee 37830.

Those wishing to participate in the scoping process may attend public meetings to be held at the Holiday Inn on Monongahela Boulevard in Morgantown, West Virginia, at 7:30 PM the evening of October 22, 1979; or in Room 2214, Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania, beginning at 7:30 PM the evening of October 23, 1979.

The meeting will not be conducted as an evidentiary hearing and those who choose to make statements may not be cross-examined by other speakers. To provide the Department of Energy with as much pertinent information as possible and as many views as can reasonably be obtained, and to provide interested persons with equitable opportunities to express their views:

1. Speakers will be called on to testify in the order they sign-in expressing their intent to speak.

2. Should any speaker desire to provide further information for the record, it may be submitted in writing within ten days subsequent to the meeting. Written comments will be considered and given equal weight to oral comments.

3. A transcript of the meeting will be retained by DOE and made available for inspection at the Freedom of Information Library, Room GA-152, Forrestal Bldg., 1000 Independence Ave., NW., Washington, D.C. 20585 between the hours of 8:00 AM and 4:30 PM, Monday through Friday.

Upon completion of the Draft EIS, its availability will be announced in the

Federal Register and public comments will again be solicited.

Those not desiring to submit comments or suggestions at this time but who would like to receive a copy of the Draft EIS for review and comments when it is issued should also notify the above contact. Those seeking further information may inquire with the above contact or to: Dr. Robert J. Stern, Acting Director, NEPA Affairs Division, Office of the Assistant Secretary for Environment, Attn.: Mr. J. William Ichord, U.S. Department of Energy, Room 4G-084, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-4610.

Copies of the documents currently planned to be used in the preparation of the Draft EIS are available for public inspection at:

West Virginia Library Commission, Science and Cultural Center, Washington Street East, Charleston, West Virginia 25305.
West Virginia University Library, Reference Department, University Avenue, Morgantown, West Virginia 26503.
Morgantown Public Library, 373 Spruce Street, Morgantown, West Virginia 26505.

In addition, a copy of the bibliography of these documents is available for inspection at the following DOE locations:

Public Reading Room, F01, Room GA-152, 1000 Independence Avenue, SW., Washington, D.C.
Albuquerque Operations Office, National Atomic Museum, Kirkland Air Force Base East, Albuquerque, New Mexico.
Chicago Operations and Regional Office, 9800 South Cass Avenue, Argonne, Illinois.
Chicago Operations and Regional Office, 175 West Jackson Boulevard, Chicago, Illinois.
Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho.
Nevada Operations Office, 2753 South Highland Drive, Las Vegas, Nevada.
Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee.
Richland Operations Office, Federal Building, Richland, Washington.
Energy Information Center, 215 Fremont Street, San Francisco, California.
Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina.

And also at the: Regional Energy/Environment Information Center, Denver Public Library, 1357 Broadway, Denver, Colorado.

Dated at Washington, D.C. this 3rd day of October 1979.

For the United States Department of Energy.

Ruth C. Clusen,
Assistant Secretary for Environment.

[FR Doc. 79-31173 Filed 10-5-79; 8:45 am]

BILLING CODE 6450-01-11

Western Area Power Administration

Central Valley Project (CVP); Order Confirming, Approving and Placing Increased Power Rates in Effect on an Interim Basis

AGENCY: Western Area Power Administration (WAPA), Department of Energy.

ACTION: Notice of Rate Order, Central Valley Project, California.

SUMMARY: Notice is given of a Rate Order, No. WAPA-2, of the Assistant Secretary for Resource Applications placing increased power rates into effect November 1, 1979, on an interim basis for power marketed by the Western Area Power Administration (WAPA) from the Central Valley Project, California. The rate order involves a single rate structure (Rate Structure A), increases rates for FY 1980 10 percent above the interim rates in effect since May 25, 1978, and increases annual project revenues by \$4.4 million. The new rates represent an overall increase of 110 percent above the rates in effect prior to May 25, 1978, and an increase in annual project revenues of \$24.6 million in FY 1980. The Rate Order discusses the principal factors leading to the decision and responds to the major comments, criticisms and alternatives offered during the rate increase proceedings.

FOR FURTHER INFORMATION CONTACT:

Mr. James A. Braxdale, Office of Power Marketing Coordination, Resource Applications, Department of Energy, 12th and Pennsylvania, N.W., Washington, D.C. 20461, (202) 633-8338.

Mr. Conrad K. Miller, Western Area Power Administration, Department of Energy, P.O. Box 3402, Golden, CO 80301, (303) 231-1535.

Mr. Gordon R. Estes, Area Manager, Sacramento Area Office, Western Area Power Administration, Department of Energy, 2800 Cottage Way, Sacramento, CA 95825, (916) 484-4251.

SUPPLEMENTARY INFORMATION:

Proceedings on proposed rates for the Central Valley Project were initiated in September 1977, with an announcement published in the Federal Register at 42 FR 46619 (September 16, 1977) stating that two alternatives were under consideration. During the following Public Information and Comment Forums, the customers contended that the existing time schedule did not allow sufficient time to analyze the proposed rates and prepare effective comments. As a result of comments received and the need to reduce the ongoing CVP deficit, procedures were established that provided for partial interim rates and an extension of the information and comment period. Interim rates to meet a

portion of repayment requirements were approved by the Economic Regulatory Administration (ERA) by an order published in the Federal Register on March 24, 1978, at 43 FR 12361 and placed into effect on May 25, 1978. The partial interim rates were extended by order of the Assistant Secretary for Resource Applications. Notice of the extension was published in the Federal Register on April 17, 1979, at 44 FR 22804.

By Delegation Order No. 0204-33, effective January 1, 1979 (43 FR 60636, December 28, 1978), the Secretary of Energy delegated to the Assistant Secretary for Resource Applications the authority to develop power and transmission rates, acting by and through the Administrator, and to confirm, approve, and place in effect such rates on an interim basis.

The latest procedural rules pertaining to public participation in the Central Valley Rate proceedings were published in the Federal Register on March 23, 1978, at 43 FR 12076, and amended on February 7, 1979, at 44 FR 7796.

The notice published in the Federal Register on July 9, 1979, at 44 FR 40118, announced a proposed rate order and opportunity for public comments. Also, an oral hearing, announced by notice published in the Federal Register on July 20, 1979, at 44 FR 42767, was held on August 7, 1979, in Sacramento, California.

After review and consideration of comments, the Assistant Secretary for Resource Applications is issuing a Rate Order confirming and approving rates to be placed in effect on an interim basis and will promptly submit such rates to the Federal Energy Regulatory Commission for confirmation and approval on a final basis.

Issued in Washington, D.C., October 2, 1979.

George S. McIsaac,
Assistant Secretary, Resource Applications.

Rate Order

DEPARTMENT OF ENERGY; Assistant Secretary for Resource Applications

In the Matter of Western Area Power Administration—Central Valley Project Power Rates, Rate Order No. WAPA-2

Order Confirming, Approving, and Placing Increased Power Rates in Effect on an Interim Basis

October 2, 1979.

Pursuant to Section 302(a) of the Department of Energy Organization Act of August 4, 1977 (42 U.S.C. 7101 *et seq.*), the power marketing functions of the Secretary of the Interior for the Bureau of Reclamation, under the Reclamation Act of 1902 (43 U.S.C. 372 *et seq.*), as amended and supplemented by subsequent enactments, particularly

Section 9(c) of the Reclamation Act of 1939 (43 U.S.C. 485h(c)) and acts specifically applicable to the Central Valley Project, were transferred to and vested in the Secretary of Energy. By Delegation Order No. 0204-33, effective January 1, 1979 (43 FR 60636, December 28, 1978), the Secretary of Energy delegated to the Assistant Secretary for Resource Applications the authority to develop power and transmission rates, acting by and through the Administrator, and to confirm, approve, and place in effect such rates on an interim basis, and delegated to the Federal Energy Regulatory Commission (FERC) the authority to confirm and approve on a final basis or to disapprove rates developed by the Assistant Secretary under the delegation. This rate order is issued pursuant to the delegation to the Assistant Secretary and the rate adjustment procedures at 43 FR 12076 (March 23, 1978) as amended by 44 FR 7796 (February 7, 1979).

Background

Existing Rates

The rates which are the subject of this order supersede the following existing CVP rates:

Existing Rate and Effective Dates

Rate Schedule CV-F3R, wholesale firm power—5/25/78, extended through 10/31/79.

Rate Schedule CV-P2R, commercial irrigation and/or drainage pumping service and for wholesale firm power service when supplied in conjunction therewith—5/25/78, extended through 10/31/79.

Public Notice and Comment

The power repayment study which was prepared for the Central Valley Project (CVP) in 1973 showed that the then existing rates failed to produce sufficient revenues to pay all power costs and to repay the project investment allocated to power within the repayment period as established by law. Efforts made to increase the power rates on CVP during the years 1973 through 1976 were futile. Proposed rate actions were either set aside by the courts, primarily on the basis of improper procedures, or abandoned because of delays and changed conditions. In early 1977, it was decided to abandon previous efforts and to start a new rate adjustment proceeding using updated data.

Current and Revised Power Repayment Studies dated September 1, 1977, showed that in order to accomplish repayment, average annual revenues would have to be increased \$42.4 million during the 1979-1981 period. This would be an increase of about 180 percent above the average annual revenues from commercial power sales (there are revenues from other sources) based on then current rates. Two tentative power rates (Alternative A and Alternative B) which would achieve the necessary increase in CVP power revenues were developed from rate design studies dated September 1977 using historical data through FY 1976.

Opportunities for public review and comment on the tentative power rates were announced by a press release on September 13, 1977, and by a notice published in the Federal Register on September 16, 1977, at 42

FR 46619. Applicable procedural rules pertaining to public participation in the CVP rate proceedings were published in the Federal Register on August 15, 1975, at 40 FR 34431; March 23, 1978, at 43 FR 12076; April 5, 1978, at 43 FR 14359; and February 7, 1979, at 44 FR 7796. In addition, notices affecting the CVP rate adjustment proceeding were published in the Federal Register on November 10, 1977, at 42 FR 58556; January 3, 1978, at 43 FR 31; January 23, 1978, at FR 3158; February 1, 1978, at 43 FR 4282; March 24, 1978, at 43 FR 12361; April 18, 1978, at 43 16391; September 22, 1978, at 43 FR 43065; November 20, 1978, at 43 FR 54132; and April 17, 1979, at 44 22804.

Three Public Information Forums were held in Sacramento, California, on October 5, October 25, and November 3, 1977. A Public Comment Forum was held in Sacramento on November 30 and December 1, 1977. Predominant among the comments was the contention from many interested parties that the existing time schedule did not allow sufficient time to analyze the tentative rate proposals, particularly the "A" and "B" alternatives, and prepare effective comments. As a result of comments received and the need to reduce the ongoing CVP deficit, procedures were established that provided for interim rates and an extension of the information and comment period (see section below on Interim Rates).

Supplemental Public Information Forums concerning the tentative power rates were held in Sacramento on April 27, June 9, September 27 and 28, and October 19 and 20, 1978. Written comments were received through November 22, 1978, and written rebuttal comments were received through December 22, 1978. A Public Comment Forum was held in Sacramento on January 9 and 10, 1979. Final written summaries were received through noon, February 1, 1979.

By notice published in the Federal Register on July 9, 1979, at 44 FR 40118, the Assistant Secretary for Resource Applications announced a proposed rate order and opportunity for public comment concerning the proposed rate order. As a result of request for opportunity for oral presentation of views, data, and arguments, an oral hearing was announced by notice published in the Federal Register on July 20, 1979, at 44 FR 42767, and was held August 7, 1979, in Sacramento, California. Written comments were due on or before August 8, 1979.

Interim Rates

Interim rates were approved for one year by the Economic Regulatory Administration (ERA) by an order published in the Federal Register on March 24, 1978, at 43 FR 12361. The interim rates became effective May 25, 1978, for customers of the CVP. These new rates which resulted in a composite average yield of 8.38 mills/kWh, increased annual revenues by about \$20 million.

The interim rates include a capacity charge of \$2.00/kW/mo and an energy charge of 4.2 mills/kWh. The previously existing rates, which were in effect since 1945, consisted of a capacity charge of \$.75/kW/mo and declining charges of 4, 3, and 2 mills/kWh for increasing blocks of energy. The interim rates were extended through October 31, 1979, by

order of the Assistant Secretary for Resource Applications. Notice of the extension was published in the Federal Register on April 17, 1979, at 44 Fed. Reg. 22804.

Discussion

Repayment

The revised Power Repayment Study dated September 1, 1977, showed that the composite rate for commercial power sales would have to be increased from about 4.3 mills per kilowatt-hour to nearly 12.5 mills per kilowatt-hour. Two alternative rate designs which would produce the same increase in CVP power revenues were also developed and presented for public review and comment.

As a result of comments received which indicated that more time was needed for adequate review of the alternative rates, interim rates, coupled with an extension of the period for public review and comment, were proposed. After reviewing written comments regarding interim rates, proposed interim rates were approved by the Assistant Secretary for Resource Applications on January 4, 1978, and customers were subsequently notified. The proposed rates involved two steps. The first step which was to become effective May 1, 1978, yielded about 8.4 mills per kilowatt-hour, and the second step, which was to become effective April 1, 1979, involved a dual energy charge and yielded about 10.7 mills per kilowatt-hour. Subsequently, the ERA issued a final decision approving only the first step of the proposed interim rates in its order of March 20, 1978. The approved interim rates which yielded about 8.4 mills per kilowatt-hour became effective May 25, 1978.

As a result of customer comments and continuing WAPA staff review, a new Revised Power Repayment Study, dated May 11, 1978, showed that an initial composite rate of 10.85 mills per kilowatt-hour with adjustments in 1986 (increased to cover purchased power cost between 1986 and 2004) and reduced to 9.01 in 2005 (when contractual requirements to meet a 1050 MW load level expire) would be sufficient to accomplish repayment. This change, which was based, in part, on comments received during public review, resulted from:

(1) Revised water and power operation studied reflecting the end of the 1976-1977 drought, and revised system energy loss calculations, both of which increased salable project generation,

(2) Revised assumptions regarding increased Project Dependable Capacity (PDC) in 1985 and thereafter that would require changes in the existing contract with the Pacific Gas and Electric Company (PG&E) before the higher capacity amounts projected in the September 1977 study could become effective,

(3) Revised estimates of customer loads based on more current information (which reduced the need for purchased power), and

(4) Revised estimates of the cost of power purchased from the Northwest (based, in part, on more recent cost data acquired by customer consultants).

After further public comments and consideration of other policy issues that were not addressed in the May 1978 Revised Power

Repayment Study, another Revised Power Repayment Study, dated September 22, 1978, was made available for public review. This study showed that an initial composite rate of 10 mills per kilowatt-hour would be adequate to accomplish repayment. Changes in the study were:

(1) The restoration of PDC to predrought levels, as a result of the end of the 1976-77 drought, with resulting increased capacity sales,

(2) A reduction in the cost of wheeling over the PG&E system from 1.33 mills per kilowatt-hour to 1.20 mill per kilowatt-hour to reflect WAPA's position before the FERC, and

(3) The inclusion of the assumption that sales to PG&E of power purchased from the Northwest would be at cost from April 1, 1981, (the next opportunity to revise the sale price) through December 31, 1981, when such sales and purchases cease.

A third revised power repayment study was prepared August 31, 1979, after the oral hearing held August 7, 1979, and after receipt of written comments due on or before August 8, 1979. This study shows that an initial composite rate of 9.76 mills per kilowatt-hour will be adequate. Changes in this study were:

(1) Elimination of the requirement to repay the deficit in 10 years, and

(2) Reduction of the service charge associated with PG&E Energy Account No. 2 and the Capacity Account from the previously used 15 percent to \$12,000 year for repurchase from each account.

Single or Dual Rates

Single and dual rate proposals were developed for public comment because it was argued that CVP does not provide the same service to all its firm power customers. Seven customers have their total requirements assured through 1980 or until the total CVP load reaches 1050 MW. One customer, the City of Santa Clara, receives only power which is withdrawable. The remaining customers have fixed long-term entitlements plus, in some cases, withdrawable power. Several of the customers purchase power from PG&E to cover their additional requirements.

The obligations to serve the total requirements of the seven customers, referred to as "load-growth customers", developed as a result of the California Congressional delegation requesting that the amount of power to be imported from the Northwest (purchased power) be increased so that CVP customer load-growth could be met through 1980. The cost of purchased power in recent years has increased beyond expectations at the time the arrangements were made, and customers not receiving the load-growth service have objected to paying part of the cost of the power purchased for the load-growth customers, particularly since some of the nonload-growth customers must purchase their additional requirements at even higher rates from PG&E.

In recognition of the objection by the nonload-growth customers, the two alternative rate structures (Alternatives A and B) were presented in September 1977. The Alternative A rate structure, consisting of a single capacity and energy charge (\$2.00/

kW/mo and 8.26 mills/kWh), would apply to all CVP firm power sales. Alternative B rate structure had a single capacity charge (\$2.00/KW/mo) which would apply to all firm capacity sales, and a dual energy charge (4.43 and 20.91 mills/kWh) in which the lower charge would apply to the nonload-growth portion of CVP energy supplied to all CVP customers, and the higher charge would apply to the growth portion of the load-growth customers' loads. Because of inconsistent results which developed in the application of the Alternative B rate structure criteria contained in the May 11, 1978, Revised Power Repayment Study (the overall rate decreased, but the load-growth portion showed an increase), it was replaced in September 1978 by an Alternative C rate structure which consisted of both a dual capacity charge (\$1.18 and \$2.40/kW/mo) and a dual energy charge (3.60 and 13.92 mills/kWh), with the lower charges applicable to the CVP generated supply and the higher charges applicable to the purchased power supply. All customers would pay for some purchased power, but the growth portion of the load-growth customers' loads would be served entirely from purchased power.

The load-growth customers objected to the dual rate concept (rate structures B and C) for the following reasons:

(1) At no time when their contracts were being amended to provide for load-growth service were they led to believe that such service might sometime be at a different monetary rate than other CVP firm power.

(2) Their contracts provide only for increasing obligations for firm service from CVP and do not distinguish between load-growth service and nonload-growth service, or between CVP generated service and purchased power service, making application of a dual rate to sales to them (how to determine which portion of the sales is subject to which rate) arbitrary at best.

(3) The traditional approach to rate setting by the Bureau of Reclamation, and now by the WAPA, has been a single rate for firm power for each project (such as the CVP).

(4) Economic principles require that the cost of additional power needed to meet a utility's load growth be charged on a uniform basis to all consumers served by the utility.

(5) If any power should be subject to a higher rate it should be the withdrawable power, since without the purchased power the withdrawable power would have been withdrawn long ago to meet long-term obligations. Even at the higher rate withdrawable power would still be less expensive than alternative sources, and would be marketable.

(6) Nonload-growth customers with loads less than their fixed long-term entitlements receive load-growth service if and as their loads grow (up to their fixed long-term entitlements). Certain load-growth customers risk having less CVP power available to them after 1980 or the 1,050 MW level is reached, than if they had not opted for load-growth service, e.g., Shasta Dam Area PUD.

(7) Load-growth service from CVP for the load-growth customers will continue only through 1980 or until the total CVP load reaches 1,050 MW, after which the load-growth customers must obtain their

additional requirements form another source the same as the nonload-growth customers.

On the other hand, the nonload-growth customers objected to the single rate structure A contending that rate structure A:

(1) Does not fairly apportion the CVP cost of service;

(2) Discriminates in that it requires some CVP customers to subsidize other CVP customers that require supplemental power over and above that which can be generated by the project, i.e., nonload-growth customers subsidize the load-growth customers; and

(3) Underprices purchased power sold to the load-growth customers.

As the load-growth customers point out, it has been the past policy of WAPA (formerly the Bureau of Reclamation) that the cost of additional units of a project and the cost of purchased firming resources are blended into the overall project repayment requirements and repaid with a single rate structure applicable to all commercial customers having the same class of service. This also is the normal practice of the utility industry. The costs of additional units and purchased power are paid by all customers with the same class of service, not just by those customers with increasing load-growth or with service commencing later in time. The contracts with the load-growth customers were entered into with the expectation that the normal policy would continue.

We do not with the first four arguments of the load-growth customers that their expectations when they entered into contracts, the contracts themselves, or economic principles give them a guarantee against institution of rate differentials which otherwise would be justified. However, a departure from past practice would not be fair to the load-growth customers or in the interest of the project unless it could be economically justified and effectively applied. There are two kinds of situations in which rate differentials are appropriate. One is where there is a difference in the character of the service rendered and it can be shown that one service is more costly than the other. The other situation is where a customer or customer group has been assigned a supply of power from one generating unit or other source and both the service and the rate can be identified with the source. The arguments of the nonload-growth customers against the single rate and in favor of the dual rate presuppose that identifiable purchased power costs can be traced to the load-growth customers in a manner which supports a dual rate structure under either the "service" or "source" approach. But the record here does not support such a premise.

The so-called "load-growth" service to the load-growth customers does not fall clearly into either of these situations. One problem with viewing it as a difference in service is that, because growth in the amount of power sold to the load-growth customers will soon come to an end, during most of the time that a dual rate would be in effect through the year 2004 there would be no difference in the service being rendered. After growth has ceased the rate differential would be based on past growth, not present or future growth. Nor is past growth easy to identify. The loads of the load-growth customers have not grown

as rapidly as was predicted in 1984. The CVP customer load of 925 MW is not substantially different from the 921 MW covered by the final Trinity allocation in May 1984. The withdrawable loads could also be considered load-growth, inasmuch as they were not originally contemplated in 1964. Arvin-Edison's load has grown since 1967. If Westlands decides to take more power, this increase also could be considered load-growth. The considerations demonstrate that the concept of "load-growth service" as a justification for a dual rate is puzzling to define and difficult to apply.

There also are problems in viewing the load-growth service as a "source" arrangement. The first is the problem of identifying which service is in fact "growth" service and which is not, as discussed above. A second is the fact that the Northwest "source" terminates at the end of 1981 when the Centralia contract terminates, and thereafter the studies assume the necessary purchased power and energy will be coming from PG&E, not from the Northwest. A third problem is how to assign responsibility for the deficit, which would not have occurred if rates had been raised on a timely basis to keep pace with the rising project costs, particularly the costs of Northwest power and energy as it was being purchased for sale to preference customers or to PG&E.

In summary, both Alternative B and Alternative C are rejected because neither has been shown to be supportable on the basis of a differential service or a differential in source.

Special Irrigation Rate for Non-Federal Irrigation Loads

During the public review and comment period, the irrigation district customers paying commercial rates for power purchased from the CVP prepared legal briefs and a study that purported to show that non-Federal irrigation loads should have the same rate for power as Federal project loads. The irrigators argue that charging irrigators a commercial rate for power violates section 9(c) of the Reclamation Project Act of 1939 [43 U.S.C. 485h(c)] and specific laws authorizing the CVP in that (1) power produced by the CVP is first required to meet all irrigation pumping, (2) use of CVP power for irrigation pumping is not a "sale" within the meaning of 43 U.S.C. 485h(c), (3) they are part of the CVP, and (4) the efficiency of the project for irrigation purposes is impaired (especially financially) by selling to them at commercial rates. The irrigators then conclude from these arguments that the appropriate rate to them is either the 2.5 mill project pumping rate or a special rate which does not repay any costs associated with interest, aid to irrigation, or purchased power. The position of the Department with respect to these arguments and conclusions is detailed below.

It should first be explained that the CVP 2.5 mill project use rate is an internal accounting procedure used by the Bureau of Reclamation to transfer the charges for wheeling, operation, maintenance, and replacement for that portion of the power system used to provide Project Use load, to the beneficiary functions (Irrigation, Municipal and Industrial (M&I), Fish and Wildlife, and Water Rights).

This charge, which yields a revenue in the Power Repayment Study, is reflected as an operating cost in, for example, the Irrigation and M&I repayment studies. The 2.5 mill rate is used (1) where the USBR owns and operates main conveyance pumping facilities, and (2) where the United States Government owns the distribution pumping facilities that provide water service to a specific water service district. For those districts where the United States owns the distribution pumping facilities, the water rate included a power cost component that includes both the 2.5 mill operating cost (pumping energy) and an allocated portion of the power investment. It is significant that the water rate of the irrigation districts raising the issue does not include a power cost component.

The irrigation districts argue [(3) above] they are part of the CVP and, therefore, they are "entitled" to the project use rate. First, the issue is not whether the irrigation districts are "entitled" to the project use or special rate, but whether the Secretary has the authority to charge the irrigation districts a commercial power rate. Second, a determination whether or not the distribution facilities (which are owned and operated by the districts and for which the districts received loans from the Federal Government) are part of the CVP does not decide whether the Secretary has the authority to charge "organizations" [see 43 U.S.C. 485a(g)] like the irrigation districts the commercial wholesale power rate. Third, under the Reclamation Instructions, because the title to the irrigation districts' works is not vested in the United States, they are not a "Federal project" for which the Bureau of Reclamation accounts for power sales by means of the project use rate. The irrigation districts argue [(2) above] that the power received by them from the CVP is not a "sale" within the meaning of 43 U.S.C. 485h(c). The districts make the same argument in other words by contending that power delivered to the irrigation districts is not commercial power and only the "surplus" not needed for all irrigation pumping is available for sale commercially. The irrigation districts cite no authority for these propositions other than the act itself, and we disagree with the irrigation districts' interpretation of the act. It is our position that the Secretary of Energy has the authority and does sell power to organizations such as the irrigation districts pursuant to 43 U.S.C. 485h(c). The irrigation districts have entered into contracts pursuant to 43 U.S.C. 485h(c) which obligate the Secretary to provide them power and obligate the districts to pay the commercial rates. Furthermore, and concerning the argument [(1) above] that power produced by the CVP is first required to meet all irrigation pumping requirements, it is our position that organizations like the irrigation districts are "entitled" to no greater preference under the act than any other preference customer. We find nothing in the authorization acts of the CVP or in Federal reclamation laws that gives organizations like the irrigation districts a "super preference" to power produced by the CVP or to a special rate for that power. CVP dams and reservoirs are to be used " * * * second, for irrigation and domestic uses; and third, for power * * *" (50 Stat.

844). This provision does not give the irrigation districts a priority on power generation. Power production is the third purpose of the CVP and that priority applies whether the power is sold to the irrigation districts or any other entity.

The irrigation districts argue [(4) above] that charging them the commercial rate impairs the efficiency of the project for irrigation. This argument presupposes the validity of the districts' argument that the organizations such as the irrigation districts are part of the CVP. First, assuming *arguendo* that they are part of the CVP, the irrigators state only the legal proposition but do not provide any factual support for it, i.e., they have never in fact shown project efficiency impairment. Second, the Secretary has the discretion to determine whether, in fact, a sale will impair the project efficiency for irrigation. By entering into a sales contract with the irrigation districts which provides for the application of a commercial power rate, the Secretary of the Interior through the Bureau of Reclamation made a decision that there was no such impairment.

The irrigation districts also argue that charging them a commercial power rate defeats the intent of Congress that power revenues aid irrigation. A simple response is that every sale of power, whether to an irrigation district or otherwise, is a step in the direction of providing sufficient power revenues to assist in the repayment of costs allocated to irrigation and assigned to power for repayment, i.e., every sale of power aids irrigation. The irrigators argue that to charge them a commercial rate that includes a component to pay the irrigation costs assigned to power for repayment violates the Reclamation laws because they are the very entities which were intended to be benefited by this repayment component. We find nothing in 730 DM 4, Reclamation Instructions, the Federal reclamation laws, or the legislative history thereof, which prevents the Secretary from charging the irrigators a rate which includes a component for irrigation aid absent a finding that such a sale would impair the efficiency of the project for irrigation. As discussed above, there is no such finding of impairment. Therefore, there is no limitation in the Secretary's authority to make a sale to the irrigators pursuant to 43 U.S.C. 485h(c). There is no reason why the irrigators should not through power rates pay irrigation costs assigned to power.

The irrigation districts claim further that they pay interest costs "when it is quite clear that the investment allocated to irrigation is interest free." This statement quoted from the briefs of the irrigators is misleading and as such incorrect. The irrigation districts pay no interest on either the costs allocated to irrigation which are assigned to power for repayment or the power costs suballocated to irrigation which are assigned to power for repayment. The commercial rates applicable to the districts do include a component to pay interest on the power investment, i.e., costs of the project allocated to power, which (1) is not suballocated to irrigation, and (2) is required by statute to be interest bearing (both investment and interest are paid by power revenues). There is nothing in 730 DM 4, Reclamation Instructions, Federal

reclamation laws, or the legislative history thereof which precludes the Secretary from including such a component in the rate to the irrigation districts.

Whether or not the potential effect of establishing a separate irrigation pumping rate for irrigators is *de minimis*, it will affect the rate charged to other preference customers. Since the Department has the authority to charge the irrigators the commercial rate, we see no basis for giving them a special lower rate or other special preference.

Lastly, the irrigation districts argue that the Department decision is procedurally defective because there is no evidence in the record to support the decision and the decision does not respond to the arguments of the irrigators except with conclusory statements. We believe that (1) all required procedures have been followed, (2) there is adequate support on the record for every decision reached herein, and (3) we have fairly considered and responded to each and every argument that the irrigators made since the initiation of this rate adjustment.

Power Allocations and Obligations

Present allocations of CVP power were made in 1984. Contracts with seven customers have been amended to provide for CVP to supply their total loads through 1980 or until the total CVP load reaches 1,050 MW. These amendments were made possible by Contract No. 14-03-200-2948A between the United States and Pacific Gas and Electric Company (Contract 2948A), which allows CVP to serve increasing customer loads up to 1,050 MW in 1980. The contract with PG&E established a maximum customer load level of 925 MW, including power marketed on a withdrawable basis, until the loads served under long-term obligations reach that level, and then the customer load level would increase with load growth up to a maximum of 1,050 MW in 1980. These amounts (925 MW and 1,050 MW) are for simultaneous or coincident loads.

The CVP firm power obligations for 1976 and as now projected for 1980 are shown below:

CVP Firm Obligation

	1976 MW	1980 MW
A. Customer load level (maximum simultaneous load under PG&E agreement).....	925	1,050
B. Obligations (non-simultaneous).....	1,039.5	1,179
1. Long-term.....	(652.0)	(1,044)
2. Withdrawable.....	(37.5)	0
3. Available for load growth or reallocation.....	0	*(135)

*The amount of load actually served above the 925 MW limit results from billing customers on non-simultaneous demands. The ratio of 1,050 MW to 925 MW is the diversity factor (1.1232).

* Assumes the same diversity as experienced in 1978.

* Includes 45.4 MW of a 50 MW long-term firm allocation to Westlands Water District of which 4.6 MW are currently being used. Westlands has the option, when CVP customer load level reaches 1,050 MW, of paying for the full 50 MW or losing the part they will not pay for.

In their final summary comments on the CVP proposed rate increase, Santa Clara argues against the 1984 allocations that resulted in Santa Clara not receiving a firm

allocation of CVP power. Santa Clara does receive withdrawable power (120 MW in 1970, reduced to 43.3 MW in 1978.) Santa Clara also pointed out that based on projections of CVP customer load level used in the September 22, 1978, power repayment study (PRS), for FY 1978, which showed a CVP customer load level of 933 MW in 1980, approximately 117 MW would be available for meeting load growth. Santa Clara further argues that the commitment to meet load growth was through 1980 and since load has not grown as fast as expected, the 117 MW (the amount of load that could be added to the projected 933 MW load level to reach 1,050 MW) should be reallocated. Santa Clara called for rulemaking in this regard. In view of the uncertain outcome of the pending litigation, it would be inappropriate at this time to modify the PRS for this purpose.

PG&E Bank Accounts

Under provisions of Contract 2942A, entered into in 1967, the then existing energy account was designated Energy Account No. 1, a new energy account was designated Energy Account No. 2, and a new capacity account was established. Under these provisions, the CVP sells capacity and energy that is surplus to the current need of CVP preference customers to PG&E for deposit in the appropriate account and for repurchase by CVP when needed to meet future obligations. Energy Account No. 1 was closed to additional deposit in 1967 with a balance of about 15 billion kilowatt-hours when Contract 2948A was signed. Since 1967, only withdrawals can be made from Energy Account No. 1 and a repurchase rate of 2.8105 mills per kilowatt-hour, which includes a 15 percent service charge, was fixed by the contract. Deposits to Energy Account No. 2 and the Capacity Account can be made from surplus supplies available to CVP from either CVP generation or purchases from other sources. The other source currently available to CVP is the power imported (Northwest Imports) from the Pacific Northwest over the Pacific Northwest-Pacific Southwest Inter tie.

The rate to be paid by PG&E for Northwest Imports (capacity and energy) deposited in the Capacity Account and in Energy Account No. 2 can be adjusted at 5-year intervals. At the 5-year anniversary which occurred in April 1978, the rate was adjusted by a rate formula. The rate formula (split rate) was set forth in a document (the final position of the Department of the Interior, dated December 14, 1976, entitled "Final Position on an Adjustment in Rates to Pacific Gas and Electric Company for Northwest Capacity and Energy") that has come to be known as the "Frizzell Decision." (Additional comments regarding the Frizzell Decision are presented later in this discussion.)

Concerning repurchases by CVP from the Capacity Account and from Energy Account No. 2, Contract 2942A recognized that future costs would be different, and described pricing formulas rather than established fixed rates. The contract also provides for service charges without specifying how much or how determined. Consequently, the rates for repurchase and the service charges have been the subjects of continuing negotiation between the United States and PG&E. As a

result of these uncertainties, certain assumptions regarding pricing formulas for repurchases from the Capacity Account and Energy Account No. 2 were used in the Revised Power Repayment Studies.

During the public review and comment period, an opinion was advanced by the preference customers that the assumed pricing formulas for determining the repurchase rates are inappropriate because they do not reflect the time value (interest) of the savings resulting to PG&E over the life of the banking arrangements. PG&E argues, on the other hand, that adjustment for the time value of savings is not specifically provided for in their contract and, therefore, it is inappropriate to consider such an adjustment. Further, officials of the Bureau of Reclamation (WAPA's predecessor agency) explained to the House of Representatives Subcommittee on Government Operations in March of 1960 that the bank account (at that time only Energy Account No. 1 was in existence) is a "paper tabulation" of the amounts of energy sold to PG&E; that energy sold to PG&E does not constitute a debt owed by PG&E; and that the Central Valley Project has the right, under certain conditions, to repurchase the energy. The same situation is true for Energy Account No. 2 and the Capacity Account. It would be inappropriate to apply a time value-of-money to sales to PG&E solely because the Central Valley Project has the right to repurchase the same amounts of capacity and energy at a later date.

Comments received also included the opinion that the assumed service charges of 15 percent for the Capacity Account and Energy Account No. 2 are too high. We agree. A service charge of \$12,000 per year for repurchase from each of these accounts has been used in developing the rates being placed in effect by this rate order. This service charge is based on a reasonable estimate of bookkeeping and accounting costs which may be incurred by PG&E and which are not otherwise recoverable by PG&E using the methodology for calculating the repurchase rates.

Project Dependable Capacity

There are varying opinions by customers and PG&E on the amount of Project Dependable Capacity (PDC) which should be used in the Revised Power Repayment Study.

As defined in Contract 14-06-200-2948A, PDC is the lowest electric capacity for use within PG&E's service area which can be available with energy support from project plants after deducting the capacity required for project load during PG&E's peak load period. The level of PDC is determined based on methods and criteria set forth in Reclamation Study. Reclamation Study is a water and power operation study that determines the dependable capacity of the CVP hydroplants based on the established critical dry hydrological period (the 1930 through 1933 period is currently used). The study, which is an instrument of Contract 2948A, determines the amount of capacity available and supported with energy as per contractual requirements after meeting the pumping loads of the project.

When Contract 2948A was entered into in 1967, the PDC was set forth as 875 MW with

a provision for adjustment, pending the results of operation and efficiency tests on the Trinity River Division plants. As a result of these tests, the PDC was increased to 925 MW effective September 1, 1967. The 925 MW remained in effect through December 31, 1974. In January 1975, the Bureau of Reclamation (Reclamation) and PG&E agreed, based on mutual studies, that PDC should be reduced. The reduced PDC levels, which were caused by increased pumping loads of the San Luis Unit, were: 880 MW, 1975; 851 MW, 1976; 849 MW, 1977; 844 MW, 1978; and 828 MW, 1979.

The CVP hydroplants were able to support the PDC levels stated above until June 30, 1977, when the 1976-77 drought caused the PDC to be reduced to 554 MW. However, the winter rains of 1977-78 completely restored CVP reservoirs to better than normal storage levels. Based on this favorable climatic change, the WAPA declared the PDC levels restored to predrought levels, as further adjusted for increased project use, and recommended that the 1976-77 drought be viewed as an abnormal situation. Under WAPA's declaration, the PDC was increased to 827 MW starting July 1, 1978, and 812 MW for calendar year 1979. PG&E argues that a provision in Contract 2948A requires that a reduction in PDC caused by certain adverse hydrological and other specified conditions remain in effect for 5 years unless otherwise agreed, and has refused to pay for PDC above 554 MW. Negotiations to resolve the differences are in progress.

The August 31, 1979, Revised Power Repayment Study for FY 1976 assumes that the PDC is restored to the levels indicated above. Customer comments regarding this assumption show: Agreement by the Federal agencies on WAPA's position; disagreement by PG&E which argues that under its interpretation of contract terms PDC should be 554 MW through June 30, 1982; and disagreements by SMUD and NCPA who contend that PDC should be 925 MW; and R. W. Beck states that PDC should be higher than 925 MW. Beck indicated that a capacity credit level of 1,260 MW for CVP would be justified if the project was evaluated without the restrictive definitions of Contract 2948A.

PG&E's current position is consistent with the position the company has maintained during ongoing negotiations. We believe the company's position is unreasonable, when in fact 827 MW was made available from July 1 to December 31, 1978, and 812 MW is currently being made available.

The Sacramento Municipal Utility District (SMUD) and Northern California Power Agency (NCPA) position is that the PDC should be 925 MW and is based on their understanding of the requirements of the Federal Power Act and PG&E's obligation thereunder. Counsel for the NCPA has developed arguments that the methods and criteria used under Contract 2948A to determine PDC result in the flow of benefits between PG&E and the United States and that PDC is, therefore, a rate that must be filed with the FERC. NCPA and SMUD further argue that since PG&E did not file the 1975 agreement between it and Reclamation to reduce PDC below 925 MW, the PDC is still 925 MW. Both the FERC staff [Docket No. E-

7777 (Phase II), December 6, 1978] and the FERC itself [Docket Nos. E-7796 and E-7777 (Phase II), (44 FR 1782) (January 8, 1979)] support the position that PDC is a rate which must be filed with FERC. We believe that NCPA's and SMUD's arguments have merit. However, in view of the facts that neither the FERC nor a court has ruled on the issue of what PDC should be, that the matter is in dispute between WAPA and PG&E, and that CVP has been making water available to PG&E for generation on the assumption that PDC is in accordance with WAPA's declaration, we believe the assumption in the Revised Power Repayment Study if appropriate. Making this assumption in the study does not limit the ability of NCPA, SMUD or the Department to make an effective argument that PDC is a rate which PG&E cannot change without filing a new rate schedule with the FERC. The assumption can be changed in the next Power Repayment Study if there is a change in the status of the controversy.

The position held by R. W. Beck is that PDC should be greater than 925 MW and is based on studies made by that consulting firm. These studies were made to determine the amount of firm load which could be supported by CVP hydroplants if they were not constrained by provisions of the PG&E contract. Beck contends that the provisions of Contract 2948A establish the level of PDC below that which is appropriate. However, the WAPA and PG&E are in negotiations regarding the changes that should be made. Any change in PDC which may result from these negotiations will not be known until some future date and, therefore, will not be considered in this rate increase proceeding.

PG&E Wheeling Rate

PG&E contends that the Revised Power Repayment Studies should use 1.7 mills for the transmission service charge rather than 1.2 mills/kWh.

PG&E filed a wheeling rate of 1.7 mills/kWh for transmission service for CVP with the Federal Power Commission (FPC) on March 1, 1976. The FPC suspended the rate for 30 days and then allowed PG&E to put it into effect subject to refund after considering the merits of the filing. PG&E and CVP agreed to settle the case at 1.33 mills/kWh on December 22, 1976, and PG&E submitted this to the FPC for approval. However, CVP customers as intervenors in the case objected to the settlement agreement. PG&E then withdrew the settlement agreement and reverted to the original 1.7 mill filing. CVP began paying for wheeling at 1.7 mills effective April 1, 1976.

The WAPA is before the FERC, FPC's successor agency, with testimony supporting a wheeling rate of 1.2 mills/kWh for transmission service. We believe this rate is just and reasonable and, therefore, have used it in the Revised Power Repayment Studies as the basis of transmission charges to be paid PG&E. When the FERC issues its decision as to the wheeling rate to be charged by PG&E, that rate will be used in subsequent power repayment studies.

Wheeling Charge To Direct Service Customers

SMUD disagrees with treating all wheeling charges as operation and maintenance expenses.

Prior to April 1, 1976, the wheeling charge paid by the United States to PG&E for wheeling service was 1 mill/kWh. This 1 mill charge was considered an operation and maintenance expense and was included as a cost in determining the firm power rates to all CVP power customers.

In the aborted 1975 rate increase proceeding, the Bureau of Reclamation (WAPA's predecessor in this matter) took the position that any increase in wheeling charges above the 1 mill/kWh would be passed on to the customers receiving the service. As SMUD states, "It was always understood that increases in the wheeling charge above the original one mill rate would not be billed to direct service customers." However, it was discovered that a provision which had allowed the United States to pass on any wheeling charges over 1 mill was omitted in the contracts of the load-growth customers. Because it was not possible to pass the added wheeling charges on to all CVP customers which receive wheeling service, the WAPA decided to treat all wheeling charges on CVP as an operation and maintenance expense and recover the entire amount in the rates charged to all CVP customers.

SMUD, one of CVP's direct service customers, states in its comments of November 27, 1978, at page 9: "Any rate structure selected should provide an appropriate discount for customers such as SMUD and the Shasta Dam Public Utility District, which take service directly from Central Valley Project facilities, so that they are not required to bear the cost of increased wheeling rates. As a less desirable alternative, contracts which contain provisions stating that increases in the wheeling rate are to be passed on as a separate charge should be enforced." In response to SMUD's position, the Federal agencies state in their rebuttal comments of December 1978, at page 7: "SMUD's suggestion is rather surprising since SMUD already receives a special discount for direct service. SMUD currently receives a special discount for direct service. SMUD currently receives a special 10 percent discount on its power bill and is expected to continue to receive this discount in the future. This discount would also apply to other customers such as Shasta Dam PUD, which receives direct delivery. SMUD has not only neglected to mention its present discount but has obviously offered no evidence that the existing discount is inadequate." The Federal agencies state further that, depending on the rate structure selected, the dollar amount of SMUD's discount will increase by between 77 and 115 percent. The following illustration supports the position stated by the Federal agencies:

- SMUD's 10 percent discount under rate schedule R2F2 (effective from 1950 to May 24, 1978) was about \$240,000 annually.
- Under the proposed rates, the amount of SMUD's discount will increase to about \$1,830,000 annually.

—The increase in SMUD's annual bill that is attributable to the increase in wheeling charges is about \$210,000.

In view of the above illustration, which shows that SMUD's net benefits associated with direct service will increase by \$810,000 (\$1,860,000—\$940,000—\$210,000), the claim by SMUD for an additional discount is unwarranted.

In the August 7, 1979, public comment forum, SMUD argued that its 10 percent discount was for the purpose of relieving the United States of its obligation to install transformers and construct appurtenant facilities and, therefore, the United States could not include a component in the rate to SMUD to pay wheeling costs incurred on behalf of other customers. It is our position that the discount is provided also because the United States does not incur costs of wheeling by a third party to SMUD or the investment, operation, and maintenance, and replacement costs of delivering to SMUD at lower voltages; i.e., that the discount is provided to adjust the rate for costs the United States does not incur in delivering power to SMUD. Thus, the purpose of the discount is to offset costs of delivery (such as wheeling costs) which are not incurred on SMUD's behalf.

In regard to SMUD's contention that contracts which contain provisions stating that increases in the wheeling rate can be passed on as a separate charge should be implemented, we maintain, for reasons cited, that the increase in wheeling charge cannot be passed on to all CVP power customers receiving wheeling service and that it would be unfair to pass these costs on separately to only some of the CVP power customers receiving wheeling service. The United States is not waiving its right to collect wheeling charges as they are being recovered by a component of the rate.

Frizzell Decision

The customers allege that the Frizzell Decision established a rate formula which results in pricing the portion of Northwest power sold to PG&E (for banking) at less than the actual cost of this power.

The policy position that has become known as the Frizzell Decision was set forth in the final position document of the Department of the Interior, dated December 14, 1978, entitled "Final Position on an Adjustment in Rates to the Pacific Gas and Electric Company for Northwest Capacity and Energy." Under the Frizzell Decision, PG&E is charged the "flow through" or actual cost for energy received and the "flow through" capacity charge for that portion of capacity associated with energy at a 60 percent load factor. The balance of the Northwest capacity delivered to PG&E is charged at the Central Valley Project rate. Pursuant to the terms of Contract 2948A, the rate formula established by the Frizzell Decision will remain in effect through March 31, 1981.

CVP preference customers have contended that the Frizzell Decision is unfair and should be rescinded. On June 22, 1977, the Northern California Power Agency transmitted to the Comptroller General of the United States a document entitled "Submission to the United States General Accounting Office by

Northern California Power Agency Seeking a Declaration that Interior Secretarial Action be Declared Unlawful and be Rescinded," wherein arguments regarding the legality of the pricing of Northwest imports to PG&E were made. In essence, the NCPA contends that sales at less than cost violate the requirements of section 9(c) of the Reclamation Act of 1939, 43 U.S.C. 435h(c), and that such sales constitute an *ultra vires* act, and are therefore void. Congressman McCloskey and others asked the Comptroller General to consider the NCPA allegations. Comptroller General's Decision B-125942 (December 22, 1978), which was issued in response to Congressman McCloskey's request for an opinion, rejected each of NCPA's claims. Specifically, the Comptroller General rejected the argument that each sale of federal power must, at a minimum, recover cost under section 9(c) of the Reclamation Act of 1939, *supra*. The Decision holds that section 9(c) requires only that sales be made at such rates as will recover costs on a projectwide or systemwide basis.

The Comptroller general also rejected NCPA's contentions that the "split rate" adopted in the Frizzell Decision constituted an "improper compromise," that there existed no rational basis for said decision, and that recovery from PG&E of the deficit experienced by CVP through such sales to PG&E from 1971 through 1978 was required under article 32 of Contract 2948A. Although the Comptroller General specifically declined to rule on the separate issue regarding recovery of past deficits, his construction of the requirements of section 9(c) clearly indicates that the legal position advanced by the preference customers in this regard is without merit. Such position is predicated upon NCPA's erroneous interpretation that section 9(c) requires each and every sale of Federal power recover costs on a contract-by-contract, customer-by-customer basis, and the recent decision in *City of Santa Clara v. Andrus*, 572 F.2d 680 (1978) mandates that such sales to a nonpreference entity (PG&E) violate section 9(c) when they result in increasing the share of cost borne by preference customers.

Given the findings of the Comptroller General, *supra*, the preference customers' contentions regarding the legality of past sales to PG&E and of including the deficit experienced by CVP as a result of such sales in the repayment study are rejected.

Section 9(c) of the Reclamation Act of 1939 *supra*, requires that all costs associated with the power marketing activities of the Government be restored from the rates. If costs are not paid in a given year, they must be deferred for payment when revenues become sufficient to do so. The DOE interim Management Directive (IMD) No. 1701, "Pricing of Departmental Services and Products," dated September 23, 1977, by reference to Part 730 of the Department of the Interior departmental manual, recognizes this and provides that deficiencies in any year are to be capitalized and repaid with imputed interest in later years even before funds are applied to the reduction of the debt associated with the original investment. It would require congressional action to forgive such a past deficit under requirements of

section 8(c) of the Reclamation Act of 1939, *supra*.

"Flow Through" of Costs to PG&E

In its comments, PG&E has challenged the appropriateness of the assumption contained in the present proposed rate that sales to PG&E of Northwest capacity and energy will be made on a "flow through" basis after April 1, 1981 (until December 31, 1981).

Although the "split rate" seems to have been legally within the discretion of the Under Secretary of the Interior in 1976 (see Comp. Gen. Decision B-125042, *supra*), in retrospect we would not necessarily have adopted that decision and do not intend to perpetuate the adverse effects on the "split rate" beyond April 1, 1981 (the next opportunity to amend such rates under the PG&E contract). As this is, in fact, our present position regarding the "split rate" versus "pass through" rate issue, and we fully intend to pursue this position in future negotiations with PG&E (regarding the applicable rates to become effective under the contract after April 1, 1981), it is entirely appropriate that that assumption be built into the present rate proposal. For these reasons, we believe that the "flow through" assumption currently contained in the power repayment study remains the appropriate choice.

Costs of Pacific Northwest-Pacific Southwest Intertie

Comments by R. W. Beck and Associated (consultants on common issues to SMUD and NCPA) during this public review and comment period included the opinion that costs of that portion of the Pacific Northwest-Pacific Southwest intertie which is south of the California-Oregon border should be included as a cost to be passed on in the sale of Northwest capacity and energy to PG&E.

The reasons for not including the Intertie costs south of the California-Oregon border were discussed in the statement of the Assistant Secretary of the Interior, dated February 20, 1976, entitled "Proposed Adjustments in Rates to Pacific Gas and Electric Company for Northwest Capacity and Energy." On page 5, the following is stated: "In regard to the rates to be charged for Northwest capacity and energy, comments from R. W. Beck and Associates contend that Reclamation's calculations omit the annual cost of \$1,340,000 which is paid to the California Pool Companies for 400 MW of transmission capacity from the Oregon border to the Tracy Substation. That cost is incurred under a 40-year contract, No. 14-07-200-2947A. After that agreement was made in 1967, the transmission was used for over 4 years to import surplus Northwest hydroenergy prior to the time Centralia power became available. That service will be used for 10 years for Centralia power imports and will be used following expiration of the Centralia contract in 1981 for import of available Northwest energy. Because of its long-term benefit to the project, as a whole, it seems inappropriate to incorporate the charge as a part of the cost of Centralia power to PG&E."

The December 14, 1976, statement by the Under Secretary of the Department of the Interior (the Frizzell Decision) reaffirmed that

position. As stated, *supra*, we are not changing that decision.

Effect of Ongoing Litigation

Several of the comments received have disputed the assumptions made in the Revised Power Repayment Study which might become invalid should the United States prove unsuccessful in any of the three lawsuits now in litigation. See *U.S. v. State of California, et al.*, Civil No. S-3014, U.S.D.C. (N.D. Cal.) (fill New Melones Reservoir); *City of Santa Clara v. Schlesinger*, U.S.D.C. (N.D. Cal.) (application of preference clause to sales to PG&E); *U.S. v. Sacramento Municipal Utility District*, Civil No. S-75-277-PCW, U.S.D.C. (E.D. Cal.) (rates permitted by contract). We do not consider the positions expressed in the comments to be well taken. The variety of possible outcomes in any one of these lawsuits makes it virtually impossible to predict the effects of such outcomes. The assumptions made in the power repayment study are consistent with the position of the United States in each of the lawsuits.

Applicability of PURPA

Some question has been raised as to the applicability of the "Standards for Electric Utilities" contained in Title I, Subtitle B, of the Public Utility Regulatory Policies Act of November 9, 1978 (PURPA), Pub. L. 95-617, 92 Stat. 3117 *et seq.* Although we recognize the responsibilities which will be imposed by PURPA in future rate proceedings, it must be pointed out that the act was not enacted until the present proceedings were nearing completion. As such, it is not possible to initiate and complete the "consideration and determination" process (notice, hearing, comments, etc.) mandated by Subtitle B of the act, in time to apply the applicable standards in this proceeding. This problem of ongoing proceedings has been specifically provided for in PURPA. Each nonregulated utility (e.g., WAPA) under the section 112(b) is given a 2-year period from the passage of the act in which to initiate the consideration of the standards in section 111(d) and the related rules in section 115, and a 3-year period in which to complete the determination. Each nonregulated utility has 2 years within which to adopt, after public notice and hearings, the appropriate standards and rates in sections 113 and 114 and the related rules in section 115 of the act.

Question of Improper Congressional Interference

On December 8, 1977, and December 18, 1978, Congressman Harold T. Johnson wrote letters to Secretary Schlesinger commenting on Alternative C, based upon his understanding of the legislative history relevant to the importation of Northwest power to serve the needs of CVP. Both of these letters have been made a part of the administrative record of this proceeding and the public has thus been given the opportunity to comment. Several of the preference customers have raised the possibility that Congressman Johnson's efforts in this regard (particularly the letter of December 18, 1978) constitute "an impermissible congressional interference with the administrative process." *Koniag*

Inc., et al. v. Andrus, 405 F. Supp. 1360, 1372 (D.C. Cir. 1975), *aff'd in part, rev'd in part* 580 F. 2d 601 (D.C. Cir. 1978).

Congressman Johnson, like any interested party, has the right to comment on the various issues considered during the course of these proceedings. Accordingly, we have included his comments as part of the administrative record, to be considered (as all other comments) in arriving at the proposed rates contained herein. It is also recognized, as pointed out by one of the preference customers, that "post-passage remarks of legislators, however explicit, cannot serve to change the legislative intent of Congress expressed before the Act's passage." See *Regional Rail Reorganization Act Cases*, 419 U.S. 102, 132 (1974).

Although the preference customers are concerned that some of the Congressman's comments made in the December 18, 1978, letter may have been somewhat inappropriate, they do not constitute impermissible congressional interference in this proceeding. The Congressman's comments have been given no greater weight in this decision than the comments of other parties.

Rate Design

The ERA order establishing interim rates for CVP, which was published in the *Federal Register* on March 24, 1978, at 43 FR 12361, required among other things that in developing rates particular consideration should be given to the relationship of price to cost of service and to energy conservation. The rates established by this rate order are based on CVP costs and revenue requirements. It is perhaps worth noting (1) that CVP has traditionally used one rate for all of its firm power sales and, at the present time, plans and desires to continue that practice, and so no attempt has been made to develop cost of service to individual customers or customer groups, and (2) that CVP has many costs required by law to be recovered by power revenues which are not normally considered cost of service, such as aid to irrigation and waterfowl conservation. Also, because CVP is required to sell its power at the lowest rates consistent with sound business principles, and its rates are much less than other rates for wholesale power in the area, and because CVP power is for the most part sold for resale rather than being sold to ultimate consumers, there is little or nothing that can be done through the rates to encourage energy conservation. However, the rate schedules include a provision that unauthorized overruns shall be billed at 10 times the base rate (discussed later in this order). Although this provision is primarily intended as an incentive for the customer to obtain power from other sources for requirements in excess of the CVP obligation (since CVP has finite resources), the effect to some extent may encourage energy conservation.

The CVP wholesale firm power rates include a capacity and an energy component. These components must be established at a level that will, when applied to the capacity and energy available for sales from CVP sources, generate revenues sufficient to repay the following categories of costs:

1. **Power Investment**—The CVP project investment allocated to commercial power must be amortized at the appropriate interest rate within 50 years.

2. **Annual Costs**—These costs include:

- A. Operation and maintenance costs;
- b. Transmission service charges (wheeling);
- c. Purchased power costs; and
- d. Any other annual costs as necessary for proper power system operation.

3. **Future Replacement Costs**—Future replacement costs are comprised of:

- a. Estimated replacement cost of original equipment considering such items as removal costs and salvage value, and
- b. Incremental increase in the estimated replacement cost of original equipment, indexed to January of the fiscal year of the applicable power repayment study (FY 1976).

4. **Required Aid**—In addition to the other costs stated above, the firm power rate must yield sufficient revenues to repay costs associated with irrigation assistance and waterfowl conservation. Deferred irrigation use costs are also included in the Required Aid.

The four categories of costs to be repaid by power, as outlined above, have been assigned for purposes of rate design, to the capacity and energy components, as follows:

1. **Capacity Component Assignment**—The repayable costs and investments assignable to the capacity component are:

- a. No. 1—Project investment allocated to commercial power.
- b. No. 3(b)—Future replacement costs (indexed increment); and
- c. No. 4—Required Aid (a portion of).

Investment costs that must be repaid by power include costs of existing facilities and future project facilities that have been authorized for construction. The only future authorized facility that is projected to be in service before the end of the cost evaluation period, which increases the amount allocated to commercial power, is the New Melones Project. The New Melones Project is scheduled to be in service in FY 1980.

The portion of replacement costs that is considered to be assignable to the capacity component is the incremental increase in original equipment cost associated with indexing to current cost levels.

Power is required to repay the balance of the project investment allocated to irrigation which is beyond the repayment ability of irrigation water users. Also, power is required to repay all remaining reimbursable project costs allocated to waterfowl conservation which are not repaid pursuant to water service contracts. It is reasonable that a portion of the costs associated with Required Aid be assigned to the capacity component of the power rate. Any assignment of the Required Aid to either the capacity or energy component is discretionary. Therefore, a 50-50 split or assignment has been made to the capacity and energy components.

2. **Energy Component Assignment**—The repayable costs assignable to the energy component are:

- a. No. 2—Annual costs;
- b. No. 3(a)—Future replacement; and
- c. No. 4—Required Aid (a portion of).

Normally in power repayment studies, the capacity and energy components are used in

a composite manner to assure that all cost recovery criteria are met. Because of the complex power marketing arrangements of CVP (the separate capacity and energy sales to the PG&E bank accounts), it was necessary to determine a value for either the capacity or energy component prior to the computation of the composite rate. Also, since most of the capacity component assignments could be readily reduced to equivalent annual costs, it was decided to use a fixed capacity value based upon cost assignment described above and vary the energy component as necessary to repay all costs assigned to that component, together with any residual repayment requirements as may be determined necessary by the applicable power repayment study.

The results of the Power Repayment Study for the period 1979-1995, used in connection with Alternative Rate Structure A, shows that if the capacity component is fixed at \$2.00/kW per month, then the energy component would be 5.11 mills/kWh. The results of this study, using the above-mentioned capacity and energy values which yield an average composite rate of 9.76 mills/kWh, show that all cost recovery criteria and repayment requirements are met.

Environmental Impact

A number of inquiries were made during CVP rate increase proceedings as to why an environmental impact statement was not prepared in support of the proposed rate increase. In the summer of 1977, the WAPA conducted an environmental assessment of the proposed rate increase in accordance with the National Environmental Policy Act of 1969. The results of the assessment indicated that there would be no significant impact on the human environment as a result of the rate increase.

Subsequently, through a vigorous public involvement program and in consideration of outside comments, the proposed rate for energy was reduced from 8.26 mills/kWh to 5.356 mills/kWh in September 1978. Rate Structure A has the same capacity charge that is currently being proposed.

Prior to issuing this rate order, the WAPA conducted a reassessment of the environmental impacts of the September 1978 proposed rate levels. The findings of that reassessment indicate that due to the lowering of the energy charge under the rate proposal, the effects of such proposal are of less magnitude than those proposed in October 1977.

In view of the fact that the original rate proposal and the September 1978 rate proposal have had intensive review and comment by the public and in consideration of the minor, if not negligible, difference in impact occasioned by the new rate proposal, it is concluded that no additional consideration pertaining to the proposed power rate increase is needed to comply with the National Environmental Policy Act.

Ten-Year Repayment of Deficit

Power customers have objected to setting rates to repay the deficit in 10 years.

As of September 30, 1976, the CVP PRS showed an accumulated deficit of \$34.8 million. This deficit is projected to increase to

about \$108 million before revenues from the proposed rate increase and low-cost purchases from PG&E Energy Account No. 1 combine to produce a positive cash flow in fiscal year 1982. The revised CVP power repayment studies that were presented to CVP power customers and interested parties in May and September of 1978 included a requirement to set rates that would repay the deficit in 10 years. The September 1978 power repayment study resulted in a composite rate of 10 mills per kilowatt hour. This requirement was objected to by all of the CVP power customers who commented during the rate proceedings.

Since the cost recovery criteria being followed to set CVP rates are silent on the period of time over which deficits are to be recovered, and in recognition of the intent of the modified price standard of the Council on Wage and Price Stability for Federal, State, and local governments, the 10-year requirement for repayment of the deficit has been eliminated in developing the rates being placed in effect by this rate order.

Billing for Unauthorized Overruns

The customers argue that the provision in the rate schedules which provides for billing for unauthorized overruns is beyond the statutory authority of the decisionmaker, was inserted in the rate schedules without any previous indication that such a provision was even being considered, is without explanation as to how and why it would be applied, and has been proposed without opportunity for due process.

The provision is presently in all firm power rate schedules within WAPA except the rate schedules of the Central Valley Project and the Rio Grande Project. The purpose of the provision is to provide an incentive for those customers whose loads are exceeding the obligation of the project to supply power to obtain power for the excess requirements from auxiliary resources. WAPA has finite resources, and has experienced customers failing to obtain auxiliary resources when they were needed. The provision has not previously been included in CVP firm power rate schedules because most customers have arrangements for auxiliary resources and/or were able to obtain sufficient power from CVP for several years in the future (beyond the effective date of previous rate schedules). At this time, however, several total-requirements customers of CVP are approaching the limits of the CVP obligations, and more customers than in the past will have direct connections to the CVP power system; so the potential for unauthorized overruns is increasing.

As stated previously, the purpose of the provision is to encourage customers to arrange for auxiliary resources for their loads in excess of the project obligations. Therefore, no unauthorized overruns are anticipated, no revenues are anticipated from this provision, and no costs associated with unauthorized overruns are anticipated.

Price Stability

WAPA is a "Government enterprise" within the meaning of the price standards of the President's Council on Wage and Price Stability. The rate increase approved herein

complies with the operating margin limitation of these standards because the revenues will be only those necessary to repay CVP costs and expenses which are required by statute to be recovered.

Availability of Information

Information regarding this rate adjustment, including studies, comments, transcripts, and other supporting material, is available for public review in the Sacramento Area Office; Western Area Power Administration, 2800 Cottage Way, Sacramento, California 95825, and in the Office of The Director of Power Marketing Coordination, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461.

Submission to the Federal Energy Regulatory Commission

The rates herein confirmed, approved, and placed in effect on an interim basis, together with supporting documents, will be submitted promptly to the Federal Energy Regulatory Commission for confirmation and approval on a final basis.

Order

In view of the foregoing and pursuant to the authority delegated to me by the Secretary of Energy, I hereby confirm and approve on an interim basis, effective November 1, 1979, Rate Schedules CV-F4 and CV-P3. These rates shall remain in effect on an interim basis for a period of 12 months unless such period is extended or until the FERC confirms and approves them, or substitute rates, on a final basis.

This order is signed with the understanding that during the next 12 months a new power repayment study will be made showing the effect on rates and repayment of (1) the failure to fill the New Melones Reservoir to planned capacity, (2) repayment of the deficit within a reasonable period of time in accordance with sound business principles, (3) resolution of the controversy with PG&E over Project Dependable Capacity, (4) completion of negotiations with PG&E on the service charges for the Capacity Account and Energy Account No. 2, and (5) other circumstances which have changed since this rate proceeding was started in 1977. If the new study shows that a further rate increase is necessary to meet cost recovery criteria, the necessary proceedings for establishing indicated rate increases will be implemented promptly.

Issued in Washington, D.C., October 2, 1979.

George S. McIsaac,

Assistant Secretary, Resource Applications.

United States Department of Energy—
Western Area Power Administration, Central Valley Project, Calif.

Schedule of Rates for Wholesale Firm Power Service

Effective: November 1, 1979.

Available: In the area served by the Central Valley Project.

Applicable: To wholesale firm power customers for general power service supplied through one meter at one point of delivery.

Character and Conditions of Service:
Alternating current, sixty hertz, three phase,

delivered and metered at the voltages and points established by contract.

Monthly Rate: Demand Charge: \$2.00 per kilowatt of billing demand.

Energy Charge: 5.11 mills per kilowatt-hour for all energy use up to, but not in excess of, the energy obligation under the power sales contract.

Billing Demand: The billing demand will be the highest 30-minute integrated demand established during the month up to, but not in excess of, the delivery obligation under the power sales contract.

Energy Obligation: The maximum kilowatt-hour obligation of the United States during the month as established under the power sales contract.

Minimum Bill: \$2.00 per kilowatt of the effective contract rate of delivery.

Billing for Unauthorized Overruns: For each billing period in which there is a contract violation involving an unauthorized overrun of the contractual firm power and/or energy obligations, such overrun shall be billed at ten times the above rate.

Adjustments

For character and conditions of service: If delivery is made at transmission voltage so that the United States is relieved of substation costs, five percent discount will be allowed on the demand and energy charges.

For transformer losses: If delivery is made at transmission voltage but metered on the low-voltage side of the substation, the meter reading will be increased two percent to compensate for transformer losses.

For power factor: None. The customer will normally be required to maintain a power factor at the point of delivery of between 95 percent lagging and 95 percent leading.

United States Department of Energy Western Area Power Administration, Central Valley Project, Calif.

Schedule of Rates for Commercial Irrigation and/or Drainage Pumping Service and for Wholesale Firm Power Service When Supplied in Conjunction Therewith

Effective: November 1, 1979.

Available: In the area served by the Central Valley Project.

Applicable: To commercial irrigation customers for their own use for, or for resale for, irrigation and/or drainage pumping and purposes incidental thereto supplied through one meter at one point of delivery, and for the purposes other than irrigation and/or drainage pumping service when supplied in conjunction with the pumping service through the same meter at the same point of delivery.

Character and Conditions of Service:
Alternating current, sixty hertz, three phase, delivered and metered at the voltages and points established by contract.

Monthly Rate: Demand Charge: \$2.00 per kilowatt of billing demand.

Energy Charge: 5.11 mills per kilowatt-hour for all energy use up to, but not in excess of, the energy obligation under the power sales contract.

Billing Demand: The billing demand will be the highest 30-minute integrated demand established during the month up to, but not in

excess of, the delivery obligation under the power sales contract.

Energy Obligation: The maximum kilowatt-hour obligation of the United States during the month as established under the power sales contract.

Minimum Bill: None.

Billing for Unauthorized Overruns: For each billing period in which there is a contract violation involving an unauthorized overrun of the contractual power and/or energy obligations, such overrun shall be billed at ten times the above rate.

Adjustments

For character and conditions of service: If delivery is made at transmission voltage so that the United States is relieved of substation costs, five percent discount will be allowed on the demand and energy charges.

For transformer losses: If delivery is made at transmission voltage but metered on the low-voltage side of the substation, the meter reading will be increased two percent to compensate for transformer losses.

For power factor: None. The customer will normally be required to maintain a power factor at the point of delivery of between 95 percent lagging and 95 percent leading.

[FR Doc. 79-31141 Filed 10-5-79; 8:45 am]

BILLING CODE 6450-01-M

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20814; FCC 79-564]

Final Decision and Order

AGENCY: Federal Communications Commission.

ACTION: Final Decision and Order.

SUMMARY: Docket No. 20814; (i) AT&T's rates for individual voice grade private line channels are found unlawful and interim cost-allocation procedures are prescribed for general use by AT&T; (ii) this order completes the administrative hearing begun at the time AT&T filed these rates in 1976; (iii) AT&T is required to partially revise its costing methodology on an interim basis while the FCC undertakes in other proceedings to prescribe a complete cost manual and implement tariff reform.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Kenneth A. Levy, Tariff Division, Common Carrier Bureau, (202) 632-6917.

Final Decision and Order [44 FR 16960]

Adopted: September 20, 1979.

Released: October 4, 1979.

In the Matter of American Telephone and Telegraph Company, charges for private line services revisions of Tariff FCC Nos. 260, 264, and 266 filed in Transmittal Nos. 12548, 12716, and 12927 [Series 2000/3000]. Charges for Private

Line Services Revisions of Tariff FCC No. 280, filed in Transmittal No. 12547 (Series 5000).

By the Commission: Commissioner Fogarty dissenting and issuing a statement; Commissioner Jones not participating.

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I. Procedural History

1. In April of '68, the American Telephone and Telegraph Company (AT&T), filed tariff revisions introducing the Multi-Schedule Private Line (MPL) rate scheme, its second departure from nationwide averaged pricing of Series 2000/3000 voice grade private line channels.¹ MPL rates became effective in August 1976, following the expiration of a three-month suspension period, and have remained in effect with minor revisions during this investigation of their lawfulness.²

Before addressing the issues in this proceeding it would be helpful to put the MPL tariff in perspective by reviewing briefly some of the regulatory events over the past decade which led up to its filing.

2. Historically, AT&T has priced its interstate private line service offerings by averaging the costs of providing

these services nationwide. Thus, prior to its departure from this practice in November 1973 with the filing of Hi-Lo rates, AT&T's private line tariff included a uniform nationwide schedule of mileage charges for the interexchange channel portion of Series 2000 and 3000 services and a uniform nationwide charge for the service terminal rate element, *i.e.*, these charges did not vary by route, location, etc. The deaveraged Hi-Lo rates, which purportedly were designed to reflect differences in the cost of providing service to locations having either a high or low facility density, were filed by AT&T as a response to the introduction of competition in certain markets.

3. In 1971 we issued our *Specialized Common Carrier Decision*, 29 FCC 2d 870, *aff'd sub nom. Washington Utilities and Transportation Comm. v. FCC*, 513 F.2d 1142 (9th Cir. 1975), *cert. denied*, 423 U.S. 836 (1975), wherein we established a general policy favoring the entry of new carriers into the specialized communications field. We recognized at that time that new entry, into the private line market might prompt AT&T to depart from cost averaging and uniform nationwide rates for certain private line services, and stated that we would not oppose this measure where it was justified by the presence of direct competition.³ In endorsing new entry, we were aware that the contemplated emergence of full and fair competition could depend upon the successful resolution of complex, controversial issues concerning the pricing and costing of monopoly and competitive services in the then pending Docket No. 18128 proceeding, *infra*. Although we could not predict what pricing and costing problems would arise as the established carriers responded to new competition, we acknowledged the potential importance of Docket No. 18128 costing principles to the maintenance of a competitive environment. 29 FCC 2d 915-17.

4. As anticipated, in November 1973 AT&T proposed revisions to its private line rates which departed from its historic policy of uniform nationwide rate averaging. The Hi-Lo rates varied

depending upon whether the service was furnished between "high density" locations, *i.e.*, those having high capacity facilities, or "low density" locations. While these revisions were not expected to have a significant effect on AT&T's overall level of revenues for the service, they generally decreased charges for those customers taking service over the high density routes and increased charges for service provided over low density routes. We set these rates for investigation, 44 FCC 2d 697 (1974) *Hi-Lo Designation Order*, noting, among other concerns, that it was not clear whether such revisions were justified on a cost or other basis and that these revisions could affect the implementation of our policy of "full and fair competition among and between existing and new carriers" in this field.⁴ We suspended these Hi-Lo rates for the maximum statutory period of three months and made a commitment to expedite the proceeding, recognizing that "if these tariff revisions should ultimately be found unlawful but should become effective after the suspension period and before final decision, such effectiveness could have a lasting and adverse impact upon the competitive structure of the market and could possibly abort the Commission's policy of full and fair competition."⁵

5. Despite a substantial commitment of resources, we were unable to meet our objective within the statutory suspension period and did not issue a decision in Docket No. 19919, 55 FCC 2d 224 (*Hi-Lo Interim Decision*), until September 1975; some eighteen months after our *Hi-Lo Designation Order* had been issued. We there found that, while our investigation had required five months longer than we had hoped, the record was still not sufficiently complete to enable us to render a final decision as to the lawfulness of the Hi-Lo rate structure. Although AT&T had submitted 13 volumes of supporting material in the initial Hi-Lo filing, as well as other justification during the investigation, we found that this information fell far short of our standards for tariff justification and that AT&T had not met its burden of proving the Hi-Lo rate structure lawful.⁶

¹ These revisions were filed in Transmittal Nos. 12548 and 12547, the latter applying MPL rates to TELPAK single voice grade facilities, either two point or sections of a multi-point service, 25 miles or less in length.

² We suspended the effectiveness of MPL rates and set them for hearing at 59 FCC 2d 428 (1976) (*MPL Designation Order*); *See also*, 62 FCC 2d 35 (1976) (procedural order); 65 FCC 2d 295 (1977) (order incorporating subsequent revisions); 67 FCC 2d 633 (1978) (*Bifurcation Order*); 68 FCC 2d 759 (1978) (order incorporating subsequent revisions) and denying reconsideration of the *Bifurcation Order*.

³ Specifically, we stated: "We do not find it necessary at this time and on this record to speculate concerning the manner in which existing carriers may seek to respond to competitive conditions that may emerge in the market for new and developing specialized communications services. We do, however, stress our objective to promote and maintain an environment within which existing and any new carriers shall have an opportunity to compete fairly and fully in the sale of specialized services. Our rate-making and regulatory policies and practices will be appropriately adapted to accomplish this objective." 29 FCC 2d at 915.

⁴ 44 FCC 2d at 699-703.

⁵ *Id.* at 700-01.

⁶ *See* 58 FCC 2d 382, 387 (1976), where we stated: "We found in the Interim Decision that the record, despite its volume, contains numerous areas where key assumptions are not justified or where the only justification for statements which AT&T submits is 'marketing judgment' or estimates of AT&T personnel, the bases of which are not explained. While Bell asserts on reconsideration that some of these areas are justified in specific exhibits or interrogatory responses running to dozens or even hundreds of pages, we find in these pages key criteria or assumptions which remain unsupported."

Footnotes continued on next page

We therefore detailed the insufficiency of AT&T's data and information in our *Interim Decision* (ranging from such problems as validity and documentation to the types of market analyses used), issued specific guidelines for AT&T to follow, and ordered the case remanded to the presiding Administrative Law Judge (Judge) to supplement the record.

6. However, we subsequently issued our *Decision* in Docket No. 19919, 58 FCC 2d 362 (1976) (*Hi-Lo Final Decision*), determining that because AT&T had not carried its burden of proof regarding the lawfulness of its tariff revisions, we would declare them null and void.⁷ Since we found the record to be insufficient to prescribe a replacement rate, even for an interim period, we allowed the Hi-Lo rates to remain in effect for 90 days and ordered AT&T to file a new tariff consistent with the guidelines we had set forth in the *Interim Decision*.

7. Thus, we concluded the first chapter in our attempt to determine the lawfulness of AT&T's newly adopted deaveraged rate structures. In response to our *Hi-Lo Final Decision*, AT&T filed the MPL rates under investigation herein as a replacement for the unlawful Hi-Lo tariff. The MPL rate scheme also contains rate center designations based on facility density but has a number of different features and even greater rate variations than the Hi-Lo rates. 59 FCC 2d at 429-30. We determined in our *MPL Designation Order*, *supra*, that the presence of substantial questions of lawfulness warranted an extensive investigation of the deaveraged MPL rate structure, particularly in light of the magnitude and scope of rate increases proposed. We specifically mentioned

some of the aspects of the MPL tariff which we believed ought to be scrutinized in this investigation. These were: the increases in charges for services of 25 miles or less in length, the high charge for the first mile of service, the possible anticompetitive implications of the decreases in charges for long haul services, and the possibility of unlawful discrimination between users. *See* 59 FCC 2d at 431. MPL rates were suspended for the full statutory period and AT&T was ordered to keep account of all monies received under certain increased rates. Since we had allowed AT&T to file some of its support material after the required date of filing of these tariff revisions, the *MPL Designation Order* did not set out any specific procedures to be followed during the investigation.

8. On December 17, 1976, we issued an order wherein we discussed briefly some of the procedures to be followed by the Judge. 62 FCC 2d 35. While this time we wanted a record which we could utilize to prescribe rates should these revisions also be found unlawful, we still expressed our desire "to see this proceeding concluded in as thorough and speedy a manner as is possible." *Id* at 36. We instructed the Judge to adhere to traditional formal hearing procedures, but to make any modifications he deemed appropriate to expedite the development of a complete record.

9. On March 23, 1977, AT&T filed revisions to its MPL tariff with Transmittal No. 12716, to become effective on June 8, 1977. These revisions provided for generally lower rates for longer-distance Series 2000/3000 channels. At the same time AT&T also filed tariff revisions with Transmittal No. 12714 proposing the termination of Telpak, its bulk rate offering of voice grade private line channels. AT&T stated that in view of its decision to discontinue bulk rate offerings, decreases in longer-haul MPL rates would be needed to mitigate the impact of the Telpak termination upon existing customers and to allow the public to "evaluate" available alternatives in the post-telpak market. *See* 65 FCC 2d at 300.

10. While we included these MPL revisions into the ongoing Docket No. 20814 investigation, we saw no useful purpose in suspending the rate reductions for the statutory period. 65 FCC 2d 295 (1977). We noted in our order, however, that if AT&T later withdrew its filing terminating the Telpak offering, we would expect it to also withdraw the MPL revisions filed in Transmittal No. 12716, since the only justification for the MPL filing was

AT&T's expected termination of Telpak. On July 21, 1977, the U.S. Court of Appeals, D.C. Circuit enjoined AT&T from terminating Telpak service to existing customers.⁸ AT&T consequently filed an amendment to its tariff on July 22, 1977 deferring the effectiveness of these MPL revisions until such time as the Telpak offering may be actually discontinued.⁹

11. On March 3, 1978, we released our *Bifurcation Order* in this proceeding, 67 FCC 2d 693. In the *Private Line Rate Case* (Docket No. 18128 Decision), 61 FCC 2d 587 (1976), *recon.*, 64 FCC 2d 971 (1977), *further recon.* 67 FCC 2d 1441 (1978), we had determined that rates for all AT&T service categories were required to be set so as to earn a rate of return equal to the overall return prescribed for AT&T (currently 9.5 percent) calculated on a Fully Distributed Cost, Method 7 (FDC-7) basis, barring a Commission waiver. Following the adoption of our *Docket No. 18128 Decision*, AT&T, after discussions with the staff of the Common Carrier Bureau, developed a manual for the implementation of FDC-7. AT&T then filed new MPL cost studies in this proceeding, using its manual. In our *Bifurcation Order* we recognized that the submission of FDC-7 material added a new dimension to the proceeding, and that it would be necessary to examine the consistency of this tariff support material with the *Docket No. 18128 Decision*. We instructed the Judge to consider this issue separately from the issues having to do with the reasonableness of the MPL rate structure and to render a separate initial decision as soon as possible. This modification of procedures was predicated upon our view that "early and effective implementation of Docket No. 18128 is essential to the fulfillment of our regulatory objectives and responsibilities. The sooner we can make initial judgments about the overall reasonableness of AT&T's initial response to Docket 18128 in the context of this proceeding and others then the sooner our regulatory goals underlying the Docket No. 18128 Decision will be realized." 67 FCC 2d at 701-02. We further stated that "in examining AT&T's support material for the MPL tariff and other material relating thereto, we are interested in determining general methodological compliance with the guidelines and principles established in our *Docket No. 18128 Decision*, as well

Footnotes continued from last page

Thus, in reexamining these exhibits we find nothing which would change our conclusion of the insufficiency of these areas of proof."

⁷ *See* 58 FCC 2d at 366-67, where we stated: "We found in the *Interim Decision* that AT&T had not satisfied its burden of proof in justifying its tariff. However, in view of the fact that this was the first major competitive response to specialized carrier competition, we felt we should exercise our discretion and remand the case for further hearings while the tariff remained in effect. Upon further reflection and reconsideration we believe it inappropriate and not in the public interest to permit the subject tariff to remain in effect while conducting further hearings into its lawfulness. It appears that much of the operating, cost, and other information which we consider essential for justification of the present Hi-Lo rates, and as specified in our *Interim Decision*, is not readily available either within Bell's books of account or the work papers prepared to support its initial filing. Thus a rehearing of the present case would necessarily involve the development and review of extensive new studies and data, rather than the mere augmentation of existing data. This would, in turn, entail a lengthy proceeding during which the present, unjustified Hi-Lo tariffs would remain in effect . . ."

⁸ *Aeronautical Radio Inc. v. FCC*, No. 77-1333 (D.C. Cir.).

⁹ AT&T's Transmittal No. 12768. *See* paras. 16-20, *infra*.

as the overall reasonableness of the methodology and results therefrom. We are not addressing the lawfulness of AT&T's cost allocation manual, *per se*, rather we are interested in the extent to which specific MPL and Central Submission overall cost allocations and studies comply with our *Docket No. 18128* Decision." 67 FCC 2d at 701. To guide the Judge in this endeavor we described a number of specific areas in the cost allocation process, which, because of their importance warranted investigation for compliance with the *Docket No. 18128* Decision. See 67 FCC 2d at 697-701.

II. Initial Decision

12. After a lengthy trial-type investigation in which a number of parties participated, the Judge issued an Initial Decision in Phase I of this proceeding (ID), (FCC 79 D-8), released March 19, 1979. Focusing on the areas of inquiry set forth in the *Bifurcation Order*, the Judge found eight separate violations of *Docket No. 18128* requirements in the MPL cost studies. He thus concluded, that the costing practices and classifications underlying these cost studies are not just and reasonable within the meaning of Section 201(b) of the Communications Act. (47 USC 201(b)); that AT&T has failed to demonstrate that such classifications and practices would not constitute an unjust or unreasonable discrimination in violation of Section 202(a) of the Act. (47 USC 202(a)); and that AT&T has not met or even attempted to meet the cost allocation guidelines set out in the *Docket No. 18128* Decision. The Judge concluded that the Series 2000/3000 transmittals at issue are unlawful and must be rejected. However, he found that the record in this proceeding does not support Commission prescription of replacement rates. Instead, the Judge urged the prescription of alternative cost allocation techniques and issued a proposed cost implementation manual (ID Manual) with the ID. The ID Manual was developed by the Judge during the course of hearings and reflects the findings made in the ID. The Judge further recommended ordering AT&T to immediately conduct another cost study in conformity with the ID Manual which would lead to the development of a new Central Submission.¹⁰ Finally, the Judge suspended hearings and recommended the termination of the *Docket No. 20314* proceeding in view of the numerous

deficiencies in AT&T's costing practices and procedures. He concluded that no useful purpose would be served by proceeding to the Phase II examination of the MPL rate structure.

13. Exceptions to the ID and, in most cases, replies, were filed by AT&T; the Trial Staff of the Commission's Common Carrier Bureau (Trial Staff); Aeronautical Radio, Inc. (ARINC); the MCI Carriers (MCI); American Broadcasting Companies, Inc., CBS Inc., National Broadcasting Company, Inc. (Networks); United States Transmission Systems, Inc. and Southern Pacific Communications Company (USTS/SPCC); The Western Union Telegraph Company (WU); and the Federal Executive Agencies (DOD). A statement in support of ARINC's exceptions was filed by the American Newspaper Publishers Association, The Associated Press, Commodity News Services, Inc., Dow Jones & Co. and United Press International, Inc. The Trial Staff filed a petition for immediate resumption of hearings which was responded to by AT&T, WU, and USTA/SPCC.

14. To briefly summarize the major exceptions of the parties, AT&T takes issue with ID references to willful violations of the *Docket No. 18128* Decision. AT&T maintains that the ID findings on MPL costing procedures are not supported by the evidentiary record and do not reflect a reasoned analysis of the record. AT&T also excepts to the ID Manual, stating that the major areas of revision go beyond the *Docket No. 18128* Decision, are inconsistent with the guidelines adopted therein, and are internally inconsistent with other portions of the ID. Finally, AT&T finds no basis for the recommended rejection of MPL rates and calls for a proceeding dedicated to the adoption of a definitive set of FDC procedures in order to alleviate the uncertainty surrounding the current state of *Docket No. 18128* implementation. The Networks take the position that in major respects the ID and ID Manual generally comport with the guidelines and requirements of the *Docket No. 18128* Decision. Their exceptions are limited to a few areas, such as forecasting and the procedure for adjusting the fixed facilities datum. USTS/SPCC except to numerous findings and recommendations in the ID and ID Manual, including the ID's failure to prescribe alternative rates to the MPL rates found unlawful, the treatment of certain expense and investment allocation procedures, and in general that the ID did not go further in recommending modifications to existing procedures, which USTS/SPCC believe are required for accountability. WU

views the ID and ID Manual as basically sound and believes they should be adopted as modified in accordance with its limited exceptions. WU also agrees with the ID recommendation that AT&T conduct a new cost study in conformity with the ID Manual, which could form the basis for appropriate rate revisions for AT&T's services. DOD excepts to ID findings as to the initial year for the Fixed Facilities Datum, the appropriateness of Separations procedures for use in cost allocation, and several other recommendations and omissions related to the ID Manual. The Trial Staff concludes that, except for certain minor errors, the ID findings and conclusions are well supported by the record, but that the Judge improperly terminated the proceeding leaving crucial rate structure issues unresolved. ARINC disagrees with a number of the cost allocation procedures contained in the ID Manual and objects to the restricted role accorded user groups in past consultative sessions, as well as those recommended by the ID for the future. MCI generally supports the ID and ID Manual as a step toward greater AT&T compliance with the *Docket No. 18128* Decision. However, MCI believes the Commission should reinstate the Series 2000/3000 rates in effect prior to the Hi-Lo tariff to replace the MPL rates found unlawful in the ID.

15. USTS and AT&T have requested oral argument before the Commission. In our judgment oral argument on the matters at issue in this proceeding would not significantly enhance our ability to render a decision or otherwise contribute to the record already compiled. The parties have had numerous opportunities to express their views at various stages of this proceeding. Therefore, the requests for oral argument are denied. Before proceeding to our decision, we believe it appropriate to discuss a procedural matter concerning the MPL revisions.

III. A.T. & T. Transmittal No. 12716

16. As noted earlier, AT&T filed MPL tariff revisions concurrent with its efforts to terminate the Telpak offering, which revisions were incorporated into this proceeding.¹¹ When the US Court of Appeals, D.C. Circuit stayed the termination of Telpak as to existing customers, AT&T filed Transmittal No. 12788 by which it sought to defer the effectiveness of the MPL revisions filed with Transmittal No. 12716 "until such time as the subject Court order is modified or rescinded." Although the Court has not taken further action on the Telpak stay to date, it is important that

¹⁰ The "Central Submission" is AT&T annual FDC-7 study, including supporting documents, filed to meet the requirements of our *Docket No. 18128* Decision.

¹¹ See paras. 9-10, *supra*.

we clarify the status of the post-Telpak MPL revisions to avoid possible confusion as to the applicable Series-2000/3000 rates. In addition, SPCC has filed a petition to reject Transmittal No. 12788, which is appropriately considered in this proceeding.

17. In its February 1, 1979, petition to reject SPCC states that the reasons we gave for not rejecting the MPL revisions at the time they were filed without supporting material are no longer valid, and, furthermore, that AT&T's action deferring the revisions violates Section 203 of the Act, as well as our order directing withdrawal of the revisions should Telpak be continued.¹² The Trial Staff and DOD filed comments in support of the SPCC petition. AT&T filed an opposition, stating its view that deferral of the MPL revisions is consistent with the Act and our rules and that the withdrawal of these rates would create present uncertainty concerning post-Telpak conditions. AT&T further points out that it has long since filed the requisite tariff support for its post-Telpak MPL revisions and that this material is to be considered in Phase II of the present proceeding.

18. With regard to Transmittal No. 12716, we stated the following in our *Bifurcation Order*, 67 FCC 2d at 699:

According to AT&T, the revised MPL rates (which have been withdrawn by AT&T as a result of the Court's stay) are in compliance with Docket 18128 and supported by the June 1977, Central Submission. We note that at the time we first considered the revised MPL rates the Central Submission had not been filed. See 65 FCC 2d at 302-03. It appears that such rates would now be subject to rejection because full cost, benchmark rates and waiver justification has not been provided as required by Docket 18128. In the event the Court lifts its stay and AT&T chooses to refile the revised MPL rates which assume Telpak's demise, or files other Series 2000/3000 rates in lieu thereof, this support material must be provided. Due to the fact, however, that we have an ongoing MPL hearing and the Court's stay is still effective, we believe it makes sense that AT&T file the requisite Docket 18128 support for consideration in the MPL hearing.

19. This statement reflects our understanding that the MPL revisions originally filed with Transmittal No. 12716 would not by reason of Transmittal No. 12788 automatically become effective at the time the Court of Appeals acts. An examination of the relevant tariff pages shows that a refile of these MPL revisions would be required in order to replace the presently-effective MPL rates. Accompanying Transmittal No. 12788 was 12th revised Page 66.1 which

republishes the post-Telpak MPL revisions and is referenced by the supplemental page containing language deferring the revisions for the duration of the Court stay. However, AT&T subsequently filed its 13th and 14th revisions to Page 66.1. The 13th revised page cancelled the 11th revised page,¹³ and the 14th revised page cancelled the 13th revised page. Thus, while the 12th revised page was never cancelled, the 14th revised page contains the presently-effective MPL rates. The fulfillment of the condition stated in the supplement to the 12th revised page, i.e., the lifting of the stay, would not operate to cancel the 14th revised page, since a prior tariff page may not cancel a subsequent page. This could be accomplished only by the filing of new revisions expressly cancelling that page. Furthermore, the 12th revised page exhibits another mechanical defect. By its terms this page would cancel the 11th revised page upon becoming effective. This is an impossibility, as the 11th revised page has already been cancelled by the 13th revised page. Our sanctioning AT&T's failure to observe the formal requirements of the tariffing process could produce undesirable results from the standpoint of the public, which would have no way of knowing that the apparently effective 14th revised page had been superseded by a prior tariff page. We, therefore, conclude that the present MPL rates, as shown on the 14th revised Page 66.1, cannot be cancelled or superseded by the 12th revised page and that a new filing is required to replace these rates.

20. Since any revisions to the present MPL rates would have to be refiled by AT&T, we regard the SPCC petition to reject as moot and, therefore, shall dismiss it. It should be noted that more than two years have elapsed since the filing of Transmittal No. 12716. As indicated in our *Bifurcation Order*, AT&T is an obligation to submit updated tariff support material at such time as it may choose to refile these or other MPL revisions. Upon such refile interested parties would have the opportunity to assess the proposed revisions in light of current conditions and file petitions.¹⁴

IV. Decision

21. Many of the exceptions and reply comments filed by the parties in this proceeding will be discussed and disposed of in the course of our discussion. To the extent exceptions and

¹³ The 11th revised page originally published the post-Telpak MPL revision and was filed with Transmittal No. 12716.

¹⁴ We instruct AT&T to cancel the 12th revised Page 66.1 by its next revision so as to preserve the integrity of its tariff.

arguments which are germane to our findings and conclusions are not specifically referred to in the following paragraphs, we have after full consideration found them either to be without merit or their separate discussion to be unnecessary to our resolution of the matters at issue herein. We shall not make any disposition of certain other exceptions and arguments at this time in view of the limited areas we are addressing herein and other actions we are taking.

A. The Lawfulness of MPL Rates and Docket No. 18128 Compliance

1. Scope of Decision.

22. In accordance with our instructions in the *Bifurcation Order*, *supra*, the Phase I hearings examined AT&T's cost allocation procedures for Docket No. 18128 compliance. The ID attempted to answer the questions we raised through a series of findings which reflect varying degrees of analysis. Thus, the ID found, among other things, that AT&T continues to employ unlawful "basic service" or residual costing techniques; its data bases, demand translators, and unit investment costs were improperly developed; the revenue/cost analysis used by AT&T does not take account of several important cost factors; AT&T's forecasting methodology is unauditable and otherwise violates Docket No. 18128 principles; AT&T has not properly modified FDC Method 7 as required as Docket No. 18128; its expense allocations are distorted, inaccurate, and unauditable; and its proposal for reassignment of facilities following the termination of Telpak fails to satisfy Docket No. 18128 justification requirements.

23. A substantial record was compiled during the Phase I hearings. This record contains much heretofore undisclosed information regarding AT&T's cost allocation procedures, as well as potentially useful material having to do with alternative procedures and ways to improve existing procedures. Clearly, a great deal of effort went into this proceeding on the part of the Judge and all parties involved. The evidence adduced and the specific findings made are, for the most part, responsive to our stated concerns in Phase I. Our examination of the record reveals some evidentiary basis for many of the ID findings. Some of the findings, however, do not appear to be supported by the record. To the extent the record evidence is inconclusive on certain points, we recognize the near impossibility of fully exploring all aspects of AT&T's complex cost

¹² See 65 FCC 2d 295, 303, n. 14.

allocation methodology in a single hearing, particularly since this is the first in-depth investigation to be conducted in the post-Docket No. 18128 environment. Indeed, while we conceived of the Phase I hearings as a critical, detailed review of AT&T's methodology in light of *Docket No. 18128* requirements, we did not necessarily expect the hearing to produce definitive conclusions on all matters raised. It is enough that certain supportable findings were made from which we can judge the overall reliability of the methodology and its general consistency with Docket No. 18128 principles.

24. In this decision we will not be taking up a number of the ID findings, even though they may address issues raised in our *Bifurcation Order*. In fact, our present analysis and disposition of the ID and underlying record will focus almost exclusively on those findings related to AT&T's use of a "basic service" or residual costing approach. This is an area of major importance to the achievement of our Docket No. 18128 objectives. See 67 FCC 2d at 697. The findings we make on the "basic service" issue in many respects answer the larger questions which necessitated a Phase I to this proceeding. These findings together with our evaluation of the record as a whole convince us of the course we must follow to properly implement the *Docket No. 18128* Decision. We are initiating certain actions, which will be discussed in the following paragraphs, as a result of the Phase I hearings and our recent regulatory experience in other matters.

25. In light of our decision to undertake these actions, we believe it is unnecessary to rigorously analyze and rule on each of the ID findings. If we believed that to make a series of detailed findings in Phase I would bring us closer to our goals of determining the justness and reasonableness of MPL rates and implementing the *Docket No. 18128* Decision, we would do so. For both our present and long range purposes, however, the limited findings we intend to make in this decision on "basic service" issues will suffice. Our failure to adopt other ID findings does not mean that we deem such findings erroneous or without adequate record support. Quite simply, we are not treating these findings in our decision because we intend to focus on solutions in our other actions, and we believe these efforts will not be aided by our making additional findings on the present record. We will, however, make some observations concerning certain selected issues, apart from "basic

service," without reaching firm conclusions.

2. General Claims.

26. Before considering the ID's specific findings of *Docket No. 18128* violations, we shall address several general criticisms of the ID and the Judge's approach to the proceeding. The Judge began the ID by documenting the Commission's unsuccessful efforts over the years to obtain reliable cost-support data in connection with AT&T's tariff filings. He interpreted this history as showing that the Commission has never really had any control over AT&T's rates and that AT&T has repeatedly refused to abide by the costing guidelines promulgated by the Commission. The Judge included this discussion in the ID because he believed a thorough understanding of the historical background would be needed to fully appreciate the objectives and structure of this proceeding and to grasp the significance of his recommendations. AT&T vigorously denies the Judge's characterization of past events and his assertions that the company's previous violations of *Docket No. 18128* guidelines, as well as the violations he found in this proceeding, were deliberate and willful. AT&T views this section of the ID as an unwarranted and unsupported attack on the integrity and credibility of the Bell System which evidences the Judge's predisposition to find similar conduct on the part of AT&T in this proceeding. Since AT&T has stopped short of alleging bias as a ground for rejecting the ID, we need state only that we shall base our evaluation of the Judge's findings and recommendations upon the record evidence and our regulatory objectives, as well as our own understanding of regulatory history. We need neither adopt nor disavow the Judge's historical background, as it is independent of the issues before us in this proceeding. AT&T has ably registered its defense to the Judge's characterizations. Furthermore, we believe our prior orders are self-explanatory.

27. As further evidence of its good faith compliance with *Docket No. 18128* requirements, AT&T recites its understanding of the implementation process immediately following the *Docket No. 18128* Decision. In particular, AT&T focuses on its participation in the consultative sessions with the Common Carrier Bureau's Cost Analysis Task Force which led to the development of AT&T's January 1977 Cost Implementation Manual (January Manual). The January Manual was in turn used by AT&T to produce its 1978 Central Submission, filed in July 1977,

which allocated costs to the various services. AT&T claims that the Judge erred in disregarding AT&T's faithful adherence to the procedures agreed to at these meetings in his commentary on the company's past and present intent. If AT&T's sole purpose in raising this point were to rebut the Judge's characterizations of AT&T's motives underlying its tariff filings, it would be unnecessary for us to discuss the consultative sessions any further. We shall take no position in this proceeding on the matter of AT&T's past or present intent.

28. However, AT&T implies in its exceptions that the fact of Bureau staff participation in the FDC-7 implementation process legitimizes the MPL tariff and the attendant cost-support materials to the extent they are based upon the Manual which was the product of the consultative sessions. AT&T suggests that its FDC-7 Manual should be accorded a presumption of validity and greater emphasis placed on evaluating MPL cost allocation procedures on the basis of their conformance with the January Manual, rather than the *Docket No. 18128* Decision itself. Questions of good faith aside, we believe it has been clear from the outset that our purpose in Phase I of this proceeding is to determine the degree of AT&T's general methodological compliance with the guidelines and principles established in the *Docket No. 18128* Decision. Thus, in our *Bifurcation Order*, we stated in no uncertain terms, "We are not addressing the lawfulness of AT&T's cost allocation Manual, *per se*, rather we are interested in the extent to which specific MPL and Central Submission overall cost allocations and studies comply with our *Docket No. 18128* Decision." 67 FCC 2d at 701. Whether AT&T did or did not follow its January Manual is not a critical issue in this proceeding. To the extent AT&T may succeed in justifying aspects of its cost allocation methodology which are reflected in either the January, or August 1977 Manual, it would of course be permitted to continue to use such procedures. However, the standards against which we judge AT&T's costing methodology are contained in our *Docket No. 18128* Decision.

29. In that Decision we directed AT&T to develop proper costing techniques in conjunction with the Common Carrier Bureau staff. 61 FCC 2d, at 666. The staff was to provide interpretations of the Decision and advise AT&T on the revision of Method 1 and Method 7 procedures to correct the infirmities we found in these cost allocation methods

as they were described in the Docket No. 18128 record. While the staff and AT&T reached agreement in a number of areas, it was made clear that several issues remained unresolved. *See* 68 FCC 2d 914 (1977). In accepting the report of the Cost Analysis Task Force, we recognized that the FDC Manual developed by AT&T in the course of the consultative sessions was not binding on the Commission or the staff charged with rate evaluation and hearings.¹⁵ Furthermore, in our order accepting the staff's final report we acknowledged the need for a rulemaking looking toward the adoption of an FDC Implementation Manual. 68 FCC 2d at 915. Thus, while we believe the staff made every effort during the consultative sessions to ensure the development of a manual which would as nearly as possible fulfill our Docket No. 18128 objectives, it was obvious that before such a determination could be made, the resultant procedures and methods, particularly with respect to the remaining unresolved areas, would have to withstand the scrutiny of a full hearing.¹⁶ That the Judge chose not to attach any significance to the staff-AT&T agreements and made record

¹⁵ By Order, FCC 77-110, released February 14, 1977, we accepted the January 10, 1977 report of the Cost Analysis Task Force which summarized the January 1977 Manual. We qualified our acceptance of the report by the following language:

The burden of justifying rates and costing techniques remains with Bell in accordance with statutory and legal standards. The results of the consultative process are thus not binding on the Commission or on the staff elements charged with rate evaluation and hearings; rights and remedies related to the rates filed in compliance with our Docket 18128 Decision are subject to the Act and our Rules and regulations.

¹⁶ The need for future evaluation of the procedures contained in the January Manual was emphasized in our first order on reconsideration in Docket No. 18128, 64 FCC 2d 971, 931-82 (1977), where we stated:

We make clear that the specifics of the manual will be subject to our full scrutiny. We have not, as some parties contend, "Accepted" the manual. It was the report of the Cost Analysis Task Force that we "accepted." Order (FCC 77-110), released February 14, 1977....

The manual was the subject of a report by the Cost Analysis Task Force established by the Chief of the Common Carrier Bureau for compliance with paragraph 241 of our Decision. 21 FCC 2d at 668.

The report describes, in general terms, the content of the FDC Implementation Manual, but the manual itself was not transmitted, nor is it otherwise before us at this time. The report states that the manual will underlie the rates Bell has been ordered to file under our Decision. Claims respecting the specifics of the FDC Implementation Manual and its conformance to the Decision will properly be before us in connection with Bell's tariff rate revisions, based on the manual. Until such time, contentions addressing the manual are premature. When filed, Bell's tariff rate revisions and underlying support (including its FDC Implementation Manual) will be subject to all rights and remedies under the Act, our Rules and Regulations and governing decisional law.

findings without reference to the FDC-7 manual does not in and of itself impair the validity of the ID, since the lawfulness of MPL cost allocations depends upon their consistency with the *Docket No. 18128* Decision.

30. In response to ARINC's exception relating to the limited role accorded users and competitors in the consultative sessions, we agree that in general "consultative sessions," either between carriers under Commission aegis, or between our staff and a carrier pose a real danger of limiting the ability of the commission to have a full record upon which a true public interest finding may be made. For this reason, absent special circumstances, we do not generally favor their occurrence. However, in this case we believe that other parties to this proceeding have dispelled any suggestion of prejudice by fully exercising their opportunity to demonstrate that MPL cost allocation procedures do not comply with the *Docket No. 18128* Decision.

31. AT&T makes two additional observations about the ID which we shall address preliminary to our consideration of substantive matters. First, AT&T characterizes the ID as a superficial analysis of the record replete with conclusions and sweeping generalities. This dearth of reasoned analysis, claims AT&T, does not permit an understanding or refutation of the Judge's findings that MPL studies violate the *Docket 18128* Decision. In this regard we emphasize our intention to rely upon the extensive record in this proceeding in assessing the validity of the Judge's findings. Where practicable, we shall refer to pertinent sections of the record which form the basis for such findings as we may adopt. If specific findings in the ID are not supported by the record, we shall not adopt them.

32. Second, AT&T faults the Judge for his alleged failure to even attempt to assess the materiality of his criticisms. Under the standard for reasoned decision-making proffered by AT&T, the Judge, having found that the MPL cost studies were invalid, would be required to determine whether the flaws in these studies had any real consequences in terms of materially affecting the results. While this criticism may have greater relevance to certain of the Judge's findings than to others, it is important to point out that in this proceeding we are interested in determining the validity of the methods and procedures used by AT&T, as well as the accuracy of specific numerical results of the cost allocation process.

33. The need for carrier accountability in ratemaking is at the heart of our *Docket No. 18128* Decision. To shift the

focus of our efforts to an examination of results, would be to minimize the importance we attach to the process by which these results are obtained. Thus, one of our major concerns in evaluating AT&T cost studies is that they be independently verifiable. A voluminous tariff support filing may be virtually unreviewable if a few critical procedures are left unexplained. *See, e.g., supra; AT&T DDS Rejection Reconsideration Order*, 70 FCC 2d 616 (1979). To the extent pieces of the puzzle are omitted, it may be possible in some instances to judge the significance of these unexplained procedures to the overall process and results. However, in other cases, absent positive findings on what the results of the process should have been, any attempt to assess the materiality of unjustified methods may be sheer guesswork. Furthermore, a costing procedure can be discredited without reference to the results it produces, if it treats services inconsistently or violates other *Docket No. 18128* requirements.

3. Basic Service Philosophy

34. The term "basic service philosophy" arose in docket No. 18128 where it was used to characterize certain features of the Long Run Incremental Costing methodology (LRIC) proffered by AT&T. *See* 61 FCC 2d at 628-29. Under AT&T's approach, investment amounts were assigned to private line services using the specialized LRIC technique with all remaining investment amounts assigned to MTS. This use of a subtractive method for determining MTS investment was the essence of our disagreement with AT&T's "basic service philosophy" in *Docket No. 18128*. In our Decision we unequivocally rejected this approach, albeit in the context of the LRIC methodology, on the grounds that a carrier should not be free to selectively apply a costing technique to some services and not to others; that we could not approve the resultant arbitrary and unlawful loading of residual and other costs on basic service users; that we could not accept an overall ratemaking philosophy which incorporates such freedom; and finally, that this approach was in violation of our accountability, equity, and fair market objectives and responsibilities. 61 FCC 2d at 618, 626-27, 662.

35. We thus recognized at that time that the effect of AT&T's residual costing approach was to make MTS, the residual service, responsible for any cost not rightfully assigned to other services by reason of improper calculation. In our *Bifurcation Order*, establishing Phase I to determine

whether specific MPL and Central Submission overall cost allocations and studies comply with our *Docket No. 18128* Decision, we expressly called for a complete inquiry into "basic service" or residual costing procedures. We used the following language to lay the groundwork for this investigation of "basic service" elements in AT&T's methodology:

The rejection of a "Basic Service" ratemaking approach is at the heart of the *Docket No. 18128* Decision and hence should receive considerable attention in this proceeding. Accordingly, the hearing should focus on the question of the existence and extent of a "Basic Service" approach as it may impact on allocations of exchange facilities, station equipment, IXC-facilities available for future growth (FAFFG) etc. The potential treatment of the MTS Service category and the "Other" service category as residual services must also be addressed. This should include the general lack of direct calculation of costs for MTS and the potential use of the "Other" category as a residual to ensure that summing all service categories (including "Other,") yields the total interstate costs. The hearing should also explore the remedies for any "Basic Service" approaches found. 67 FCC 2d at 697.

36. These instructions can leave no doubt that we viewed this inquiry into residual costing practices as extremely important and that we would be unable to accept a methodology which employs a "basic service" approach to any significant degree. We recognized that residual costing can appear in a number of different forms, depending on the type of investment allocated, or the particular designation of residual services. In whatever form, if the investment amounts so allocated are substantial, a residual costing approach unreasonably shifts the risk of investment misallocation to certain services of the carrier's own selection and severely limits the commission's ability to determine the accuracy of AT&T's allocations. We have had occasion to consider the "basic service" approach in conjunction with a number of tariff filings made by AT&T in response to the *Docket No. 18128* Decision. Throughout our orders disposing of these tariff revisions we have consistently and emphatically rejected AT&T's continued use of residual costing practices. For example, one of our primary reasons for rejecting AT&T's most recent WATS filing was the presence of a "basic service" approach, as reflected in the following findings:¹⁷

This residual or basic service approach can be demonstrated by examining how AT&T in its FDC-7 Cost Allocation Manual which it has used in part for the WATS filing, proposes to allocate interstate exchange circuit plant, telephone apparatus, telephone connections and large PBXs. For interstate exchange outside plant (OSP) and central office equipment (COE) investments, AT&T directly determines the total interstate private line service dollar amounts using embedded unit costs and subtracts those amounts from total interstate exchange OSP and COE to produce a combined dollar amount, i.e., residual costs of the interstate enterprise, for MTS and WATS. AT&T then determines the tentative cost of Inward and Outward WATS access with the remainder assigned between WATS and MTS based on usage. This approach is likely to result in an improper assignment of part of the direct actual costs of Inward and Outward WATS access lines to MTS service. Telephone apparatus, telephone connections and large PBXs are determined on the same basis as described for exchange circuit plant. Nowhere in the above process has AT&T attempted to determine the direct actual costs associated with MTS as it has apparently done totally for private line services and partially for WATS services. The likely result of such disparate treatment of MTS and WATS is that both services, in particular MTS, are likely to be assigned more than their fair share of the total directly attributable to common costs of the interstate enterprise. This is contrary to our fundamental holdings in *docket No. 18128*. See 61 FCC 2d at 618, 626-27 and 662.

37. The ID found at para. 88 that AT&T did indeed employ "basic service" procedures to develop the costs for local channels, station apparatus (Account 231-02), station connections (Account 232-02), large PBX equipment (Account 234), IXC plant allocated to message services and Facilities Available for Future Growth (FAFFG). With these findings the Judge determined that AT&T has again allocated a substantial amount of its total interstate investment by a residual costing method such as was criticized in *Docket No. 18128*. Because of AT&T's violation of this fundamental costing principle, the Judge determined it would be necessary to recommend Commission prescription of an FDC-7 implementation manual which expressly prohibits the use of "basic service" ratemaking procedures and which avoids any costing procedures that would permit AT&T to revert to that philosophy. In the following paragraphs we address these findings in greater detail.

38. a. *Exchange Plant; Station Equipment.* The ID found that AT&T employed a "basic service" approach to allocate investment costs for exchange plant, station apparatus, station connections, and large PBX equipment.

According to AT&T's classification under the January Manual, the entirety of this investment resides in the "Other Datum," which encompasses all interstate investment not already part of the "Fixed," or Interexchange (IXC) Datum. AT&T Ex. 48, Add.V-5 to V-6. That is, it consists of investment related to plant items other than interexchange facilities and toll dial switching. The "Other Datum" totals over \$14.4 billion and constitutes 51 percent of AT&T's overall interstate investment. AT&T Ex. CS I, Sec. 4, p. 28.

39. AT&T assigns total exchange plant and station equipment investment to private line service categories by means of unit investment costs which are developed from local channel studies. The primary study, the 1969 Fully Embedded Loop and Trunk Cost Analysis Plan (FELTCAP), is used by AT&T to determine the unit investment costs for exchange trunks, subscriber loops, related station equipment, and applicable central office equipment. The FELTCAP study was accomplished by drawing a sample of 15,000 local channels and access lines from a universe of 400,000. This sample encompassed only private lines and WATS local channels; FELTCAP did not study local distribution facilities or related central office equipment used in the provision of message services. Tr.1276-7. Thus, AT&T made no attempt to directly determine the cost of MTS local distribution plant.

40. In order to update the 1969 FELTCAP study, AT&T conducted a local channel study to develop unit investment costs for private line exchange plant installed from February 1969 to December 1975. AT&T Ex. CS pp. 4-13 to 4-14. However, in reality, only local channels that had a start-of-service date between January 1972 and September 1974 were sampled, with costs being estimated at 1973 prices. Tr. 1282-83. Adding to the questionable validity of this curtailed timespan is the admission of AT&T witness Johnston that he was aware of no studies which confirmed the underlying assumption that local channels installed between January 1972 and September 1974 were at all representative of those channels installed from 1969 to 1972 and from 1974 to 1975. Tr. 1285. The results from the 1975 local channel study were combined with the remaining-in-service FELTCAP channels to provide a company estimate of 1976 embedded average private line investment. AT&T Ex. 48 pp. 39 to 40.

41. The total amounts yielded by this procedure were taken by AT&T to represent the directly determined

¹⁷ AT&T, WATS Rejection Order, 63 FCC 2d 9, 49-50 (1977), recon. denied, 69 FCC 2d 1872 (1979); See Also AT&T, Series 7000 Rejection Order 67 FCC 2d 1134, 1187 (1977), recon. denied, 70 FCC 2d 2031 (1979); AT&T DDS Rejection Order, 67 FCC 2d 1195, 1227-28 (1978), recon. denied, 70 FCC 2d 616 (1979).

interstate private line investment, which it then subtracted from the interstate totals to produce a residual amount of more than \$7.62 billion. This residual was assigned to the Public Switched Network DDD Services, i.e., MTS and WATS. AT&T then determined the tentative cost of Inward and Outward WATS access line through the use of an access line study. The results of this study were subtracted from the previously calculated residual amount, and the remainder assigned to the non-access line portion of MTS and WATS exchange investment on the basis of relative minutes of use. AT&T Ex. CS 18, pp. 4-1 to 4-4. Thus, by using this method AT&T avoids any direct determination of the cost of MTS local distribution facilities and remaining WATS facilities, i.e., all non-access line investment.

42. During cross-examination AT&T witness Johnston confirmed that MTS local distribution facilities costs are determined through a subtractive process rather than by direct calculation. Mr. Johnston acknowledged that no unit investment study was conducted for the Central Submission on the local distribution facilities utilized by MTS or WATS, other than the WATS access line study. Tr. 1298-7. Mr. Johnston also concurred that it would not be impossible to directly calculate interstate DDD (MTS and WATS non-access line investment) costs for "Other Datum" facilities. Tr. 1300.

43. The application of this subtractive process means that the public switched network automatically bears all local exchange costs which are not directly allocated by AT&T to its private line service categories. Thus, this procedure makes MTS and WATS ratepayers liable for any costs improperly excluded from the allocation to private line. It is important to emphasize that in excess of \$7.62 billion was allocated to public message services without any study being done to directly determine the actual costs of the exchange facilities used by these services.

44. AT&T puts forth a number of exceptions to the ID finding that it employed a "basic service" approach in the allocation of local exchange plant. First, AT&T cites the lack of any evidentiary analysis in the ID to support the Judge's conclusion on the "basic service" question. Although the ID accorded the issue rather abbreviated treatment, we believe the conclusion reached as to local exchange investment is firmly rooted in the record. We have attempted to set forth the record basis for the ID findings in our discussion of this issue and it seems clear that the

Judge relied on the very same evidence. For example, in a separate section of the ID devoted to FELTCAP, the Judge criticized the study for its lack of representativeness in that no attempt was made to study local distribution facilities or related central office equipment for message services. ID para. 108. Furthermore, it is evident from the ID discussion of "basic service" that the Judge was aware of the importance we ascribed to this issue and that he did not reach his conclusion casually.

45. By its second exception AT&T attempts to draw a distinction between the "basic service" philosophy, as the term was used in Docket No. 18128 to describe the overall ratemaking concept advocated by AT&T in that proceeding, and the residual costing practices found herein to be a part of its purported implementation of FDC-7. AT&T finds significance in the fact that nowhere in the *Docket No. 18128* Decision did we express a concern that FDC-7 would involve a "basic service" philosophy as delineated in that decision. We disagree with AT&T that our rejection of the "basic service" approach in Docket No. 18128 was narrowly tailored to the specific methodology under consideration at that time. We outlawed the "basic service philosophy" in Docket No. 18128 because the practices associated with that approach contravene fundamental principles of equity and accountability in ratemaking. It was our intention that the findings and statements of principle in Docket No. 18128 were to have general applicability to all future ratemaking activities on the part of AT&T. That AT&T now associates its residual costing practices with an FDC methodology does not legitimize their use or alter the fact that they possess the same infirmities to which we strenuously objected in the *Docket No. 18128* Decision.¹⁸ See para. 34, *supra*. Furthermore, AT&T has been on notice the release of our *AT&T WATS Rejection Order, supra*, in August of 1977 that the use of this specific allocation technique, even in an FDC-7 framework, violated our *Docket No. 18128* Decision.

46. AT&T's third exception relates to its claim that the procedures it followed for distributing local exchange plant costs were precisely those set forth in the January and August Manuals. AT&T states that these manuals provided for detailed studies resulting in a direct calculation of local exchange costs for the private line services, including MPL.

¹⁸Moreover, we found in *Docket No. 18128* that AT&T's LRIC methodology itself was a form of fully distributed costing. 61 FCC 2d at 634-35.

They further provided that the balance of such local exchange costs assigned to the interstate jurisdiction would be distributed among the interstate message services based on detailed studies of WATS access lines and analyses of relative minutes of use among the message services. AT&T Brief and Exceptions pp. 67-68. The fact that the procedures used in the allocation of local exchange plant may be contained in the August Manual is of little consequence, since AT&T has made no claim that either the Commission, or the Common Carrier Bureau staff, concurred in that document. As for the January Manual, we have already pointed out that we expressly declined to be bound by the results of the consultative sessions between the staff and AT&T in our review of rate filings made pursuant to the *Docket No. 18128* Decision. See paras. 29-30 *supra*. By this disclaimer we acknowledged the need to conduct more deliberate and probing inquiries into certain of the procedures inclosed in the January Manual than was possible at the time, and we also preserved the rights of other parties, who were not permitted to fully participate in these meetings, to present their views on the deficiencies in AT&T's method of implementing *Docket No. 18128*. Thus, our "acceptance" of the report of the Cost Analysis Task Force following the consultative sessions was in no respect a commentary or approval of the specific provisions continued in the January Manual. See para. 29 n. 16 *supra*.

47. AT&T next states that there is no record support whatsoever to show that the FDC-7 procedures resulted in improper allocations to MPL. Although AT&T admits that a subtractive process was used in distributing certain local exchange plant costs (such as that associated with local channels, station apparatus, station connections, and large PBXs), it argues that this does not necessarily mean that the message services were allocated any disproportionate amounts. AT&T further claims to have discredited the one alternative cost computation for MPL local exchange plant offered during the hearing by Trial Staff witness Gabel. Thus any finding that the costing methodology it employed understated MPL local exchange costs, maintains AT&T, is totally unfounded.

48. These arguments ignore the thrust of our present finding and our findings in previous proceedings in which we have considered AT&T's use of a "basic service" approach. Our rejection of residual costing practices in Docket No. 18128 did not depend upon findings that

AT&T had in fact underallocated costs to the private line service categories. Similarly, in the *AT&T WATS Rejection Order*, *supra*, we made no finding of actual misallocation of costs. Yet, we found these WATS revisions unjustified and unlawful in violation of the *Docket No. 18128* Decision because AT&T's residual costing practices were likely to result in an improper assignment of costs, particularly to MTS which we believed would probably receive more than its fair share of costs by reason of its treatment as a residual service. In neither the WATS filings, nor Phase I of the present proceeding, did AT&T provide enough reliable information to reasonably satisfy us that misallocations were unlikely.

49. Clearly, we rejected "basic service" or residual costing practices in *Docket No. 18128* because their use required the message services to bear the entire risk of an underallocation of costs to other services. Of equal importance was the fact that the derivation of local exchange plant costs for message services by a subtractive method thwarted our carrier accountability objectives in that it precluded independent validation of the amounts assigned to the residual or "basic" services. Thus, it was the potential for overallocation to the services designated as residual services by AT&T, rather than any demonstrated actual misallocation, that we reacted to in our desire to assure equity among users through fair and proportionate facility assignments.

50. AT&T claims that the record shows it is simply not feasible to make a detailed study directly calculating the local exchange plant costs for the MTS and WATS categories in the same manner as for the private line services. This is so, states AT&T, because of the massive amount of local exchange plant used for message services and the fact that such exchange plant is used jointly and in common with intrastate local exchange service in every jurisdiction in the country. We agree that the direct determination of local exchange plant costs for all services would be a sizable task, but it would by no means be impossible. In any event, we cannot countenance the use of residual costing practices which so clearly frustrate our regulatory objectives.

51. Finally AT&T states that a basic service finding in this proceeding cannot be predicated on our *AT&T DDS* and *AT&T Series 7000 Rejection Orders*, cited in the ID, since different allocative techniques were at issue in those matters. In neither of those referenced decisions, argues AT&T, did the

Commission even suggest that the allocation of local exchange, IXC plant costs, or FAFFG costs resulted in any underallocation of costs to MPL. We fail to see how these circumstances undermine our present finding that AT&T employs a "basic service" approach in the distribution of local exchange plant. Our earlier decisions merely illustrate that residual costing may appear in a number of different forms, and that we have consistently rejected its use where the investment amounts affected are substantial for the service or services in question.

52. In *Docket No. 18128* we prescribed a costing methodology for AT&T to ensure that the carrier would provide consistently derived, accurate cost information to show the justness and reasonableness of its rates.¹⁹ The presence of residual costing in AT&T's exchange plant allocation scheme destroys the reliability of AT&T's cost figures and, therefore, frustrates our evaluation of MPL rates, except that we can say they clearly have not been justified.

53. b. *Interexchange Plant*. The ID also concluded that a "basic service" approach was utilized to allocate IXC plant costs. ID para. 88. AT&T excepts to this finding, stating that no party during the course of this proceeding even alleged that it used "basic service" procedures to allocate IXC plant. AT&T further suggests that the lack of any such allegation in the record coupled with the company's utilization of FDC-7 procedures, which provide for the direct segregation of IXC plant costs for all services, support its denial that a "basic service" was involved in IXC plant allocation. AT&T Ex. 48, pp. 50-1.

54. Our analysis of the record does not reveal any clearcut examples of residual costing with respect to IXC plant allocation. However, we are not convinced that AT&T did indeed allocate IXC investment to all service categories in a consistent manner. To illustrate this point the calculation of IXC circuit costs may cause an overabundance of costs to be borne by monopoly services due to the averaging of costs per circuit mile across all route bands. Trial Staff Ex. 53, p. 85. Since Series 2000/3000 circuits are shorter, but have a higher cost per mile, than the longer, less costly message circuits, an averaging of circuit length may have the effect of understating the real cost of IXC plant allocated to Series 2000/3000. The record simply is inconclusive on this point.

55. c. *Facilities Available for Future Growth*. As previously noted, the ID also

found that AT&T employed a "basic service" approach in assigning FAFFG investment to the 16 service categories for its June 8, 1977 Central Submission. ID para. 83. This investment represents currently available but unused plant investment intended to meet future service growth requirements. It is determined by measuring only the High Capacity High Frequency (HCHFL) portion of the interexchange investment in coaxial (L) and radio relay (R) facilities. The FAFFG calculation requires an identification and quantification of interexchange HCHFL getting started costs (i.e., investment made before any revenue producing circuits are derived) and variable costs (i.e., investment in equipment to provide revenue producing circuits for non-video services). FAFFG costs are then developed according to five plant classes: outside plant, coaxial cable circuitry, radio circuitry, and land/buildings. Finally, the FAFFG calculation requires a determination of the difference between total IXC line-haul investment and the directly assigned line-haul investment.

56. The January Manual provides for the measurement of FAFFG solely for 1975 and for its distribution to all service categories on the basis of a 3 year forecast of incremental demand. The FAFFG amount so determined becomes part of a service's investment in the Fixed Datum. AT&T Ex. 48, Add. V-14 to V-16. In the 1975 Fixed Datum FAFFG investment represented \$1.3 billion or 13 percent of the total IXC plant. Trial Staff Ex. 15.

57. Although AT&T maintains that FAFFG is distributed on the same allocative basis to all service categories, we have already found this not to be the case in our *AT&T DDS Rejection Order*, *supra*. We determined there that the radio portion of DDS facilities, as well as the radio portion of the "Other" Service category, was calculated directly on the basis of the proportion of forecasted growth in DDS interexchange miles to total available 1976 FAFFG channel miles and was then subtracted from total radio dollars. The same procedure continues to be used. AT&T Ex. CS 18, p. 6-2; AT&T Ex. CS 22, Figure 3-3. The residual amount was distributed to the remaining service categories based on 3 year forecasted distributive ratios developed from the cable and radio circuit mileage growths provided via the demand translation process. AT&T Ex. CS 18, p. 6-2.

58. In the June 8, 1977 Central Submission AT&T provided no support as to why it distributed FAFFG investment costs to DDS in a manner

¹⁹ See 61 FCC 2d 557, paras. 4, 8, 60, 73, 74 and 77.

which is different from the allocation mechanism applied to all other service categories. AT&T's inconsistent treatment renders the remaining 15 service categories liable for DDS costs not properly allocated to DDS. We reiterate our finding in the *AT&T DDS Rejection* Order merely to point out that AT&T did in fact employ a "basic service" approach to allocate FAFFG investment, despite its present denial of the ID finding in this regard. However, we shall not rely on the ID finding in our disposition of the MPL tariff, because we are not convinced that the "basic service" aspects of the FAFFG allocation procedure could result in a significant distortion of MPL costs.

59. As indicated above, we are not reaching firm conclusions on the other AT&T procedures considered at hearing. We are, however, including some discussion of selected issues to guide our efforts in the costing area.

4. Selected Other Procedures.

60. a. *Data Bases—REDCAP.* The record in this proceeding indicates that one of the most important data bases developed by AT&T is REDCAP (Real Exact Detail Circuit Analysis Plan). Tr. 1497-1501. REDCAP studies provide the results used to develop interexchange facilities costs. The studies are undertaken periodically to analyze various characteristics of the circuits in the universe.²⁰ The universe consists of all interexchange switched circuits (interstate and intrastate) and all interstate private line circuits. The studies are conducted to provide data translators for translating market quantities into corresponding plant quantities.

61. REDCAP studies are comprised of several steps. AT&T Ex. 48, p. 25. First, the universe was assembled in accordance with instructions set forth by AT&T's Service Cost Group, which has the responsibility for gathering the circuit universe. Tr. 7652. Second, a statistician designed a sampling plan based upon criteria developed by the Service Cost Group. Tr. 1505, 7720. The next step of the REDCAP studies entailed drawing the sample from the universe. The last step consisted of analyzing the samples and developing ratios in the demand translation process. AT&T Ex. 48, pp. 25-26.

62. It is important to note that the accuracy of the REDCAP Studies is critical to the development of reliable Series 2000/3000 costs. For example, approximately 80 percent of

interexchange circuit costs assigned to Series 2000/3000 relate to one of the demand translators derived from REDCAP. AT&T Ex. 48, p. 28.

63. As shown in the record, the statistician employed in designing the REDCAP samples calculated the sample sizes for the various defined superstrata based on estimated cost data. Support and/or rationale appears to be lacking concerning the reliability of these estimated costs. After making some adjustments in the sample size, the sampled circuits in the 1971 REDCAP Study were costed out to determine if the sample met the predetermined precision requirements. The imputed costs, obtained from some unquantified studies, were assumed to be error free. Tr. 7663, 7664, 7740. With these estimated and unverified costs pervading the sampling process, there is some doubt in our minds as to the validity of the REDCAP studies. Furthermore, as pointed out by the Trial Staff, the reliability measures made by AT&T relative to REDCAP were not done at a level of disaggregation to determine the relative precision for MPL. Trial Staff Proposed Findings p. 30. Thus, assuming, arguendo, that the overall REDCAP sampling reliability is correct and satisfactory, we have no way of ascertaining the reliability of the MPL data obtained from REDCAP.

64. AT&T used translators from various vintage REDCAP studies in its costing process to develop investment amounts assigned to the various services. Although the 1975 REDCAP Study had been completed for the most part, data from this most recent study was not available for all of the underlying analyses associated with the study in time for use in the MPL cost support material. However, it is alleged by AT&T that the results from the various REDCAP studies are stable overtime and, therefore, the cost data as presented, and based on different vintage REDCAP studies, is valid. The REDCAP results alleged to be stable are the facility mix by mileage band characteristics. AT&T Ex. 48, p. 28, AT&T Brief and Exceptions, p. 73.

65. In order to demonstrate the instability of one of the most important translators, I-8,²¹ the Trial Staff presented an exhibit which contains data based on information taken from AT&T Ex. 70, p. 10 and AT&T Ex. CS 32, p. 1-33. Trial Staff Proposed Findings p. 38. The Trial Staff exhibit shows facility mix percentages for the first 300 route

miles; the category in which the majority of MPL circuits fall. This exhibit clearly shows that the average mix translator is not stable over time. Thus questions remain concerning the use of results from various REDCAP studies to develop MPL costs for the base year. There has been no demonstration that there is stability within the translators over time and, in fact, the opposite appears to be the case.

66. b. *Data Bases—FELTCAP.* AT&T has employed its FELTCAP study to determine local distribution costs for services other than message services. As explained above, the failure of AT&T to directly calculate local exchange investment for MTS represents a major defect in its interpretation and implementation of the *Docket No. 18128* Decision. In addition, several criticisms were raised in the record which draw into question the validity of the unit investment costs derived through the use of FELTCAP. See also, paras. 68-74, *infra*. In particular, we find merit in the Trial Staff argument that the rather large standard errors of estimate associated with FELTCAP, plus or minus 18.1 percent for Outside Plant and plus or minus 25 percent for Central Office Equipment, can give rise to a considerable degree of variability in unit cost results. Trial Staff Proposed Findings, para. 63. As Trial Staff witness Gabel indicated, "Used properly at that time (1970), the unit investments could provide a range of estimated costs for the sampled population." Trial Staff Ex. 53, p. 59. In addition, it appears that further evidence is required to establish as an acceptable practice the use of study results which basically are ten years old. AT&T Ex. 48, p. 37.

67. Regarding the residual costing, or "basic service" approach, which characterizes FELTCAP, we noted earlier AT&T's argument that expansion of the FELTCAP study to include local exchange plant costs for MTS would be very costly. See AT&T Ex. 48, pp. 51-52. Although we may want to explore this question further in connection with our consideration of alternatives to AT&T's cost manual, we are firm in our conviction that the inconsistent derivation of local exchange costs for MTS and other services must be corrected if we are to successfully implement the principles we adopted in *Docket No. 18128*.

68. c. *Unit Investment Costs.* Unit investment costs were developed by AT&T to establish both the initial Fixed Facilities Datum and the additions to the initial Datum. The Trial Staff provided the following description of this process: "After AT&T has derived plant

²⁰ REDCAP studies were undertaken on specific dates in 1964, 1967, 1971, and 1975. AT&T Ex. 48, p. 20.

²¹ Approximately 80 percent of LXC costs assigned to MPL relate to translator I-8. AT&T Ex. 48, p. 28. This translator is defined as the ratio of each facility type route miles to total facility type route miles by route bands. AT&T Ex. 48, p. 57.

quantities by service category through the translation process . . . it applies unit investment costs to the plant quantities to give the facilities datum (investment) by service category (Bell Ex. 48, p. 22). The unit investment costs were developed by various plant categories. (See Generally Bell Ex. CS 32-35.) The results of this process must then be adjusted by "trial balance" factors to equal the interstate investment (Bell Ex. 128, pp. 39-40)."

Trial Staff Proposed Findings, para. 41.

69. In developing the 1975 initial Datum, AT&T distributed fungible non-FAFFG IXC plant and fungible Toll Dial Switching plant in Account 100.1 to its various service categories through the use of these derived unit investment costs. AT&T claims that for IXC plant, these unit costs help to distinguish cost characteristics which vary as a result of differing circuit lengths, types of facilities, and numbers of terminals. For exchange outside plant loops, exchange circuit equipment plus telephone and miscellaneous station apparatus, and station connections, AT&T distributed plant costs to some services on the basis of sample studies that purportedly identified the unit investment costs for several private line services and WATS access lines. These amounts were then subtracted from total exchange costs to determine the exchange costs for other services, e.g., MTS.

70. The Judge found that AT&T's unit investment cost approach added an additional layer of complexity to the FDC process (ID para. 120); that the Commission never approved its use (ID para. 121); and that AT&T's application of the unit cost concept is inappropriate (ID para. 125). The Judge also referred to the Final Report of the Commission's Cost Analysis Task Force wherein the use of unit investment costs represented an area of disagreement between the Bureau staff and AT&T. See Trial Staff Ex. 2; 66 FCC 2d 914 (1977).

71. AT&T takes exception to the ID findings on unit investment costs in several respects. AT&T Brief & Exceptions, p. 79. It maintains that the Commission's silence on the subject in the *Docket No. 18128* Decision should be interpreted as its approval of the unit investment cost concept. It points to the fact that both the January and August manuals provide for the calculation of unit investment costs. Finally, AT&T claims that the record in this proceeding will not support any criticisms of its approach.

72. We cannot accept AT&T's contention that the *Docket No. 18128* Decision or subsequent events can be construed as the Commission's

sanctioning or endorsing this type of approach. Whereas AT&T claims that the absence of explicit prohibitions against the use of unit costs should be interpreted as justification for their use, we find that the lack of specific reference to this technique in the *Docket No. 18128* Decision can as easily be interpreted to mean that we considered it to have little value for costing purposes. Therefore, there is no *a priori* requirement for the use of unit investment costs.

73. In addition, it should be remembered that the purpose of *Docket No. 18128* was to establish the broad principles which were to be employed in the costing process. Although we addressed these principles in depth in the *Docket No. 18128* Decision, we did not attempt therein to establish all details concerning the implementation of an historical cost causation FDC study. Therefore, the issuance of the *Docket No. 18128* Decision should not be looked upon as establishing a precise set of costing procedures or even considering all of the methods which could be used to satisfy our broad policy objectives.

74. Regarding the provisions for the use of unit investment costs in the January Manual, we reiterate that time constraints following the issuance of our *Docket No. 18128* Decision did not allow for thorough review of all detailed elements of the FDC costing process, and that procedures contained in that manual were to be subject to review in this and other proceedings. See para. 29, *supra*. Moreover, the Final Report of the Cost Analysis Task Force included a discussion of unit investment costs in a section entitled "Subjects Without Agreement". Any provisions for the use of unit investment costs in the August Manual, therefore, was made specifically without the agreement of the staff.

75. Regarding the final criticism of the ID's conclusions concerning the use of unit investment costs, i.e., that the record does not discredit AT&T's approach, we find that this argument is in part correct. Critical review of the concept of unit investment costs was lacking in the record. However, given the importance which unit investment costs have in AT&T's interpretation of FDC-7, we believe additional effort must be made to evaluate this concept as applied by AT&T. The one alternative proposal proffered by Trial Staff witness Gabel, i.e., the use of Division of Revenues procedures, was not sufficiently refined to warrant immediate use.²¹ It would also have

been useful to explore past methods for the development of unit costs. For instance, the *Docket No. 18128* Decision, para. 227, fn. 136, indicates that the procedures for establishing the initial Datum should parallel the Seven Way Cost Study procedures. Therefore, we can only conclude that additional consideration of alternatives to AT&T's current practices in this area and alternatives must be undertaken to facilitate the adoption of a definitive set of FDC procedures. See para. 91-92 *infra*.

76. d. *Facilities Available for Future Growth*. In the course of consultative sessions following the issuance of our *Docket No. 18128* Decision, AT&T initiated discussions with the Common Carrier Bureau staff concerning the application of historical cost causation concepts to plant quantities which were presently in place and earning a rate of return as part of the interstate rate base, but which were not immediately required for customer use. AT&T's explanation of the need for this type of plant centered around the economies it achieve through the installation of plant possessing capacity in excess of that required by current demand. The special status of this plant in AT&T's opinion distinguished it from the category entitled Property Held for Future use.²²

77. As stated earlier, AT&T chose to identify facilities available for future growth FAFFG for L-carrier (cable) and R-carrier (radio) interexchange transmission facilities only, referred to as HCHFL, and to make assignments to services based on a three-year forecast of relative use. AT&T intended to identify and assign FAFFG only once, as part of the development of the initial Fixed Facilities Datum it was required to establish by the *Docket No. 18128* Decision. Certain questions arose in this proceeding regarding AT&T's application of the FAFFG concept, such as whether or not the practice of identifying FAFFG just for HCHFL rather than for all relevant plant

Division of Revenues procedures have been developed for the purpose of allocating investment amongst the various Bell System operating companies. These procedures could possibly be used as an alternative source of cost information for various plant elements.

²² Property Held For Future Use (Account 100.3) contains "the original cost of property, other than station apparatus, owned and held for imminent use in telephone service under a definite plan for such use." 47 C.F.R. § 31.100.3(a). Such property held by AT&T consists primarily, but not entirely, of land purchased in advance of construction and conduit placed in advance of its physical use for telephone service, thereby taking advantage of cost-saving opportunities. The *Docket No. 19129 Phase II* Decision clarified the indefinite "imminent use requirement" by imposing a 2 year maximum on property held in this account. See 64 FCC 2d 62 (1977).

²¹ The concept of using Division of Revenues procedures, however, deserves further review.

categories, produced acceptable FDC results, and whether or not it would be appropriate to limit the identification and assignment of FAFFG to the 1975 initial Datum only. In addition, the hearing briefly considered whether or not it was really necessary to separately identify FAFFG in order to implement the requirements of the *Docket No. 18128* Decision.

73. The Judge began his commentary for the premise that the Commission has determined that FAFFG is a necessary component of any FDC-7 implementation procedure. ID para. 219. In addition, the Judge recommended the yearly calculation of FAFFG, as opposed to the calculation of FAFFG for the initial Datum only. There is some confusion in the ID Manual concerning the development of the distributive ratios, but apparently the use of incremental rather than total growth is favored for this purpose.

79. We question the validity of the ID finding that a FAFFG calculation is a necessary part of any FDC study. In fact, nowhere in the *Docket No. 18128* Decision is there any mention of the concept of FAFFG. The underlying objective of our required revisions to FDC-7 was to develop a costing methodology which would immediately assign all plant and equipment to a service, based on forecasted demand, when the plant and equipment entered AT&T's rate base. This objective does not make allowance for spotlighting certain facilities which are constructed only in some general manner for the future. In a competitive environment there are risks associated with a firm that constructs growth capacity without having made estimates and forecasts as to specifically how the investment will be used. Because AT&T does not appear to face many of these same risks in its construction decisions, the Trial Staff recommended, and the Judge has accepted, the concept that any FAFFG not pressed into service within three years should be removed from the interstate rate base. The problem with this recommendation, however, is that there is no evidence available from the record which suggests that a three year time period is appropriate allowing AT&T to construct growth facilities without specifically assigning the investment to interstate services. Therefore, we are unable to accept these findings at the present time. This matter, along with the questions of whether FAFFG measurement should be limited to HCHFL plant, and be used only for purposes of the development of the initial Datum, should be reviewed in a separate proceeding. See paras. 91-92

infra. What we establish here is only that FAFFG is not a necessary component of FDC-7.

5. Preliminary Conclusions

80. Our purpose in designating Phase I of this proceeding was to determine whether the procedures used by AT&T to allocate costs to individual tariffed service offerings, and to Series 2000/3000 in particular, comply with the requirements established in our *Docket No. 18128* Decision. We discussed these requirements generally in our *Bifurcation Order* and described in detail some of the specific prohibitions and affirmative obligations arising out of the *Docket No. 18128* Decision which we felt were appropriate for inquiry in Phase I. Although *Docket No. 20814* was initially designated prior to the time we made our final determination in *Docket No. 18128*, we later viewed this evidentiary investigation of MPL rates as a suitable vehicle for testing AT&T's implementation of the prescribed FDC-7 cost allocation methodology and in our *Bifurcation Order* restructured the hearing to accomplish this end. Indeed, we recognized the need to determine the consistency of the cost allocations to Series 2000/3000 with our *Docket No. 18128* Decision before proceeding to other issues presented by the MPL rates. 67 FCC 2d at 701-02.

81. We had several specific objectives in mind when we restructured this proceeding in the *Bifurcation Order*. First, we wanted to test the validity of the procedures used to allocate costs to Series 2000/3000 as a necessary precursor to determining the lawfulness of MPL rates. Perhaps the primary goal underlying our efforts to achieve accurate, auditable cost of service information has been to reveal any interservice cross-subsidizations that may occur, and thereby to be in a position to assess the competitive implications of specific AT&T rates. Thus it is with MPL rates that we need reliable cost data to know whether the service is in fact earning an unreasonably low rate of return with possible anti-competitive effects, as alleged by several of the parties to this proceeding. Should MPL rates deviate from full cost, as defined in *Docket No. 18128*; *i.e.*, yield a return above or below 9.5 percent, we need reliable information as to the extent of the departure in order to determine whether the rate levels may be justified by public interest considerations. An additional reason for our preliminary consideration of Series 2000/3000 allocation procedures is that AT&T would be hard pressed to justify the MPL rate structure in Phase II through the provision of full

cost, benchmark rates for each tariffed item, if it were unable to first demonstrate the accuracy of its allocation of costs to Series 2000/3000 as a whole. See 67 FCC 2d at 700.

82. It is evident therefore, that AT&T's ability to justify the lawfulness of MPL rates depended upon its establishing at the outset that the Series 2000/3000 cost allocations, which form the basis for its MPL tariff support material, were developed in a fashion consistent with *Docket No. 18128* requirements. In the foregoing sections we have found that by distributing residual exchange plant costs to MTS, AT&T continues to rely on "basic service" procedures to develop Series 2000/3000 costs in violation of the *Docket No. 18128* Decision. Although we have not taken up all of the ID findings on the several aspects of AT&T's methodology, we instructed the Judge to examine our findings in this critical area conclusively invalidate the Series 2000/3000 cost allocations for purposes of justifying MPL rates. In our *Bifurcation Order* we indicated the importance we attach to the *Docket No. 18128* rejection of residual costing, stating that the "basic service" ratemaking question should receive considerable attention in this proceeding. 67 FCC 2d at 697. Our examination of the record clearly reveals that AT&T employed a "basic service" approach to allocate local exchange plant costs. Through its continued use of these residual costing techniques AT&T retains the freedom to arbitrarily and unlawfully load all costs not allocated to other services on MTS users. Because a significant portion of Series 2000/3000 investment consists of exchange plant, the use of residual costing techniques in this area carries the potential for a substantial underallocation of costs to Series 2000/3000. In addition AT&T's failure to directly calculate exchange plant costs for MTS makes it extremely difficult for us to verify that Series 2000/3000 costs have not been improperly assigned to the residual services. Thus, we cannot be assured that the Series 2000/3000 allocations are reliable to any significant degree. Absent this crucial information we have no way of determining the rate of return for the service or judging the reasonableness of MPL rate levels. Consequently, we have little choice but to find the MPL rates unjustified and unlawful in violation of Section 201(b) of the Act, 47 USC § 201(b), and our *Docket No. 18128* Decision.

83. The second objective underlying our *Bifurcation Order* was to reach conclusions on AT&T's implementation

of the *Docket No. 18128* Decision as a general matter, albeit in the context of an investigation centering on MPL costs, to aid us in charting the course for ultimately achieving our regulatory goals of carrier accountability in ratemaking and equity among users. The set of procedures under investigation herein are used by AT&T to allocate costs to Series 2000/3000, as well as to every other tariffed service offering. Therefore, our conclusion that AT&T's general allocation procedures fail to comply with *Docket 18128* requirements has implications for other AT&T rates in addition to MPL rates. AT&T's "basic service" approach to exchange plant cost allocation, which taints the MPL support material, possesses the same infirmities when applied to other private line services. In every cases MTS users are required to bear the risk of a substantial underallocation of exchange plant costs to the non-residual service. Similarly, our reservations concerning AT&T's derivation and use of certain data bases causes us to seriously doubt the validity of AT&T's service by service cost allocations. This state of affairs leads us to conclude that in general, AT&T's cost allocation methodology is inconsistent with *Docket No. 18128* and produces unreliable results which are of little use in rate evaluation. The record herein thus convinces us of the need to undertake development of an acceptable cost implementation manual for general use by AT&T in ratemaking. The parties have highlighted what appear to be major deficiencies in AT&T's present costing procedures, and we suspect that other weakness and inconsistencies could be uncovered under further scrutiny. Although we have decided to limit our findings herein to the "basic service" area, and not to reach conclusions at this time on other AT&T costing procedures, we have included some discussion of the problems we have with certain of these procedures to guide our ongoing efforts to implement an acceptable costing methodology.

84. Our final objective in Phase I was to consider alternatives to AT&T's approach to *Docket No. 18128* compliance, and insofar as possible, to arrive at ways to remedy some of the specific failings of AT&T's present methodology. In this regard the Judge made a number of prospectively oriented findings and on the basis of these findings recommended procedures designed to bring AT&T into compliance with the *Docket No. 18128* Decision. We believe that Phase I accomplished its purpose by raising important questions, uncovering problem areas, and proposing meaningful solutions to the

extent practicable in a proceeding not exclusively devoted to the prescription of a costing methodology. We shall discuss the ID's recommended procedures more fully and make our disposition of these matters in the following paragraphs.

B. The Proposed Cost Manual and Other Prospective Guidelines

1. The ID Manual

85. We believe the Judge was correct in his assessment that the demonstrated inadequacy of AT&T's cost allocation procedures and the control problem faced by the Commission in this area mandate the prescription of a fully distributed cost implementation manual. The Judge considered the appropriateness of AT&T's January and August 1977 manuals as prescription possibilities. He concluded that the former must be eliminated from serious consideration because of its failure to comply with *Docket No. 18128* guidelines, and that the latter, while possessing some improved features, still was not even a workable document, although it could serve as the basic foundation for a prescribed manual. ID paras. 230-39, 272. Having rejected both of these AT&T manuals as unacceptable for use in future cost studies, the Judge undertook the development of a "workable" cost manual which could be put into immediate use by AT&T for purposes of conducting its annual FDC-7 studies. The Judge acknowledged that the recommended manual was far from perfect and that much more work would have to be done before the Commission could find that it met the objectives stated in the *Docket No. 18128* Decision. However, he viewed the recommended manual as a major step in the right direction, designed to give the Commission the necessary control it needs to accurately audit AT&T's cost assignments. The Judge believed that this manual, if prescribed by the Commission, could serve as the basis for moving forward in the costing and tariffing process while the Commission's refinement of specific allocative techniques proceeded independently.

86. During the hearing the Judge called upon the parties to suggest alternative cost allocation procedures which would meet the Commission's *Docket No. 18128* requirements. The recommended ID Manual appears to be drawn from the proposals submitted by the parties at various stages of this proceeding, as well as the AT&T August 1977 Manual, and the Judge's own findings and conclusions based on the record evidence before him. While the ID is replete with findings that AT&T's

existing cost allocation procedures do not comply with the *Docket No. 18128* Decision, the Judge went a step further by arriving at a set of procedures in the ID Manual which he believed would help to correct these violations. In formulating these procedures the Judge indicated he was guided both by the broad policy goals of auditability, consistency of methodology, and the elimination of residual costing, and by his interpretation of specific *Docket No. 18128* Requirements, such as the proper role of FDC-Method 1 results in the costing process, and the use of an actual, rather than an average, facility mix in the derivation of MPL costs. Thus a number of the prospectively oriented findings and recommendations in the ID, were incorporated in the recommended manual. Among these are the proposed expansion of AT&T's separately costed service categories from 16 to 23, along the lines suggested by USTS/SPCC (ID paras. 204-09, CIM Section V); the modification of FDC Method 1 to include data reconciliation with Method-7 results, adjustment procedures and third-party participation, (ID paras. 192-193, CIM Section VII E.); the establishment of an "In-Progress Monitoring Committee" to oversee AT&T's ongoing FDC study process (ID paras. 144-48, CIM Section VII F.); the approval of 1975 as the base year for the establishment of AT&T's initial Datum (ID paras. 195-202, CIM Section VII B.); the use in certain instances of Division of Revenues procedures and results to allocate costs (ID paras. 186-193); and recommendations for the proper calculation and allocation of FAFFG (ID para. 227, CIM Section VI D).

87. The parties have filed exceptions to many of the procedural recommendations outlined in the ID Manual. AT&T argues in general that any attempt to prescribe a cost manual applicable to all services based solely on the record in this proceeding would be beyond the scope of the issues designated for hearing and would violate the rights of other interested parties who were not provided notice that prescription as to all services would result from this proceeding. Alternatively, AT&T urges the Commission to utilize the record in this proceeding as a basis to immediately enter into a rulemaking proceeding to adopt a manual of FDC procedures. The Trial Staff concurs in the need for Commission action looking toward the adoption of a workable FDC manual. AT&T also maintains that major areas of the ID Manual are inconsistent with *Docket No. 18128* guidelines, as well as with other portions of the ID, and are

incapable of practical implementation. Specifically, AT&T believes the ID Manual would improperly preclude the use of any demand translation process by requiring that plant assignments in the annual update of the Datum be based on revenues only. The ID Manual prohibition on the use of trial balancing, argues, AT&T, would result in incomplete studies which do not achieve a full distribution of costs. AT&T further excepts to the automatic reconciliation, reassignment, and readjustment process provided for in the ID Manual, the proposed treatment of FAFFG, certain expense allocation procedures, and the concept of an in-progress monitoring committee. Finally AT&T makes the argument that many of the revisions to existing procedures set forth in the ID Manual were improperly drawn from extra-record material submitted by USTS/SPCC in their proposed findings. It contends that parts of the ID Manual were taken directly from a set of alternative expense allocation procedures which had been stricken from the record during the hearing but were resubmitted by USTS/SPCC in their proposed findings, and relied upon by the Judge despite the fact that they were not placed in evidence and subjected to the scrutiny of cross-examination and rebuttal. The Trial Staff points out that AT&T has had two opportunities, in its reply findings and exceptions, to address the USTS/SPCC proposed manual and in any event both that manual and the ID Manual were not in the nature of specific evidence but rather, were individual conclusions based on the facts of record. USTS/SPCC strongly disputes AT&T's claim. It contends that the expense allocation procedures and other portions of the manual are valid, logical inferences from record evidence or applicable Commission rules, if not directly derived from record evidence.

88. Some of the specific exceptions filed by the other parties relate to the manner in which the ID Manual proposed to treat forecasting (Trial Staff, WU); the monitoring committee (Networks, Trial Staff, USTS/SPCC); the FDC Method 1 reconciliation and adjustment process (Trial Staff, USTS/SPCC); FAFFG allocation procedures (WE, Trial Staff, USTS/SPCC, ARINC); the starting point for the Datum (DOD, ARINC, Trial Staff); allocation procedures for certain plant accounts and expenses (Networks, DOD, WE, ARINC, USTS/SPCC); and the unsubdivided service category "Facilities Furnished to Other Common Carriers—Domestic" (WE, USTS/SPCC).

89. A number of the procedures set forth in the ID Manual appear to be sound solutions to the costing deficiencies which have come to light during the course of the proceeding, and we commend the Judge for undertaking the extraordinarily challenging task of formulating a cost implementation manual for AT&T. However, as with most long-range, comprehensive regulatory programs, the ID Manual is steeped in controversy in a number of important respects.

90. In view of the numerous questions raised by the parties in their exceptions to the ID Manual and our own reservations concerning certain of its procedures, such as the reconciliation of Method 1 and Method 7 results, the monitoring committees, the allocation of FAFFG, and the use of forecasted revenues to allocate certain plant, we are not prepared to prescribe the ID Manual, even on an interim basis, without the benefit of further inquiry and analysis in the context of a broader rulemaking proceeding devoted exclusively to the adoption of a cost manual. The Phase I hearings have established the unreliability of AT&T's cost allocations and have revealed specific instances of the company's failure to comply with Section 201(b) of the Act and *Docket No. 18128* requirements in its cost studies. The record in this proceeding leaves little doubt that a Commission-prescribed FDC Manual is needed if we are to have reliable, accurate information as to AT&T's cost of service. However, our uncertainty about some of the provisions in the ID Manual and our desire to consider alternative methods of achieving *Docket No. 18128* compliance, prompt us to choose a more deliberate course than that recommended by the Judge. To order AT&T to immediately conduct extensive, time-consuming studies based on a manual which we believe may undergo substantial revision before its final acceptance, could result in a major waste of resources by AT&T, the Commission, and the parties to any investigations of tariff filings supported by these studies.²³

91. In lieu of immediately ordering an interim manual and the studies necessary to its implementation, we have decided to proceed with the prescription of a manual in a separate

²³ In addition, implementation of the ID Manual at this time would require extensive time delays while AT&T developed data bases and information gathering techniques to replace REDCAP, FELTCAP, AND IXL studies etc. The final cost manual which we adopt will also have to be coordinated with the goal and substance to the new Uniform System of Accounts.

rulemaking. This rulemaking has already been initiated, (See Notice of Inquiry, CC Docket No. 79-245, FCC 79-562, adopted September 18, 1979), and we anticipate conducting our inquiry on an expedited basis to prescribe a complete cost manual. We intend to utilize the ID Manual and the record in this proceeding, as well as the modifications and alternative provisions suggested by the parties to *Docket No. 18128* and other interested persons, in formulating a cost manual which reasonably implements our *Docket No. 18128* requirements.

92. It has become clear as a result of the lengthy Phase I hearings that our prescription of a cost manual is likely to be the most certain and expedient means of ultimately obtaining reliable information as to AT&T's costs of service. We are therefore committing substantial resources to the development and final approval of such a manual. Our rulemaking proceeding should enable us to review various alternatives and, hopefully, arrive at a workable scheme of costing techniques which can, as nearly as possible, bring us closer to the fulfillment of our regulatory objective in the *Docket No. 18128* Decision to make AT&T accountable for its rulemaking activities. In initiating this rulemaking we are optimistic that the knowledge and experience which the parties have gained through their participation in *Docket No. 20814* will be used to augment the existing record and make meaningful progress toward the implementation of satisfactory cost allocation procedures.

2. Interim Procedures To Correct Basic Service Infringements

93. There is however, one unlawful aspect of AT&T's cost allocation procedures which we believe can at least be partially redressed through a Section 205 prescription at this time on the present record. As discussed earlier, AT&T's use of a residual costing, or "basic service," approach to the allocation of exchange investment is a serious violation of Section 201(b) of the Act and the *Docket No. 18128* Decision. We have found that we cannot rely on cost material developed through this subtractive method for several reasons including, the potential for substantial misallocation of exchange investment, and the unauditability of AT&T's allocations to residual services. Thus, as a result of AT&T's residual approach to exchange plant allocation, interstate message service ratepayers face a substantial risk of disproportionate loading of costs. About \$7.62 billion or 27 percent of AT&T's total interstate

investment is assigned to MTS and WATS using this approach. We, therefore, believe it is imperative that we prescribe procedures to replace AT&T's current unlawful method for allocating exchange investment as between private line and message services.²⁴ In our judgment an interim Section 205 prescription which directly attacks the "basic service" problems in AT&T's methodology can be implemented independent of the prescription of an entire cost manual.

94. The procedures we are prescribing as an alternative to AT&T's subtractive method for determining MTS exchange investment are intended as a temporary partial solution to the problems we have focused on in this proceeding. These interim procedures, which we believe are a reasonable application of Docket No. 18128 principles at this present stage of development in the costing area, should be readily capable of implementation without delay. We have initiated our cost manual rulemaking to investigate more comprehensively those procedures which are likely to succeed most in accomplishing our goals and objectives of ensuring reasonable, cost based rates. Our decision to prescribe interim procedures is founded on the critical need to provide specific standards in a key area for AT&T to follow in preparing tariff support material pending the development and implementation of a new cost manual. In so doing we hope to gain access to more reliable cost information than the carrier has heretofore submitted, so that we will be in a better position to assess the justness and reasonableness of AT&T's rates for the time being. Thus, at a minimum, we shall expect AT&T to incorporate these procedures in its costing methodology for its next Central Submission to be filed in mid-1980 and for tariff support purposes, as necessary.

²⁴The subtractive approach AT&T employs for distributing exchange investment differs significantly from the trial balance approach it uses for distributing interexchange investment. The latter approach directly develops investments for all services utilizing interexchange facilities, including message services. Differences between the total of these amounts and the investment amounts which Separations assigns to interexchange as a whole is then distributed to all services in proportion to the directly developed investment amounts. Thus, the risk of error in the direct investment calculation for interexchange investment does not fall entirely on message service ratepayers. For this reason we are not requiring changes in the methodology for distributing LXC investment to services at the present time. This is not to say, however, that upon further review we may not uncover unacceptable practices regarding specific allocative techniques. We are only establishing that the general methodological approach for distributing interexchange investment does not place undue risk onto message service ratepayers.

95. In developing this interim prescription, we find we can rely in part on the Judge's conclusion that in certain instances jurisdictional Separations results may be employed in the interstate costing process.²⁵ ID, paras. 138-91. This conclusion that "certain limited" uses can be made of the Separations process is the basis for the ID Manual recommendation that AT&T allocate exchange investment to private line services by using the total exchange investment amounts assigned to interstate private line services through Separations in conjunction with "fundamental plant, accounting and engineering records". ID Manual, p. 49. Specifically, in the case of private line exchange outside plant investment, the Judge would require AT&T to accomplish a distribution in developing the initial Datum based on the relative proportion of private line exchange circuits used by each interstate private line Service category. ID Manual p. 78-79.

96. Insofar as exchange plant assignments to Service categories would be directly assigned to all services, including MTS, on the same allocative basis, this method is preferable to existing procedures. We find, however, that record evidence is lacking regarding the immediate availability of disaggregated exchange investment data by Service category for use in an interim costing methodology.²⁶

However, for purposes of deriving aggregate interstate exchange investment amounts for private line services and for message services, we find the ID Manual proposal to rely on the amounts provided by the Separations process acceptable as part of an interim costing methodology. The application of jurisdictional Separations results to achieve an investment split between the private line and message classifications goes directly to the "basic service" problem by reducing the potential for an overallocation to message services. To the extent the Separation process, which is ordinarily used to distribute investment between jurisdictions, is relied upon in place of existing "basic service" techniques, some of the uncertainty attendant upon the treatment of MTS as a residual can be alleviated. We, therefore, shall require AT&T to modify its current

²⁵The jurisdictional Separations process provides an allocation of interstate investment between private line services and message services, as well as an allocation between interstate exchange and interexchange investment.

²⁶One of the functions of a comprehensive Uniform System of Accounts would be to provide information of this kind. See First Supplemental Notice of Proposed Rulemaking in CC Docket No. 78-188, FCC 78-479, released August 9, 1979.

costing procedures for allocating exchange investment to interstate services such that it utilizes the aggregate amounts provided by Separations for private line services and for message services as the initial point in the costing process.²⁷

97. We view this measure as a necessary immediate step toward the elimination of the "basic service" procedures which render AT&T's cost data unreliable and unfit to support the justness and reasonableness of its rates.²⁸

The Separations process presently is employed by AT&T to some extent in cost allocation and we find that by partially extending the use of this readily available and established costing process for the time being we can impart greater reliability to AT&T's tariff support material.²⁹ We are convinced that the public interest requires this prescription under Section 205 of the Act as a temporary means of making AT&T accountable for its ratemaking activities in accordance with our responsibilities under Section 201(b) and 202(a) of the Act and our Docket No. 18128 Decision.

98. Once AT&T has divided interstate exchange investment into the two major classifications of private line services and message services, these aggregate amounts will, of course, have to be allocated to individual Service

²⁷In its Brief and Exceptions, at p. A-11, AT&T agrees that a Separations approach would avoid the subtractive method thus far employed. In addition, AT&T indicates therein that it would be able to implement the type of method we are requiring. We note that AT&T also relies on the Separations process in developing certain costs. The IXL (Interchange Line) Study, for instance, which AT&T uses to derive investment costs for HCHFL facilities, was originally established to implement the "Modified Phoenix Plan" for interchange plant allocation as part of the Separations process.

²⁸We recognize that the Separations process does not provide for the allocation of Long Lines investment between exchange and interchange categories. Since the amount of Long Lines investment used to provide exchange services is relatively minimal, we do not consider it to be a burden on AT&T to develop appropriate methods to accomplish this separation.

²⁹We believe that our reliance on "historical cost causation," as that term was used in Docket No. 18128, does not necessarily preclude any use of Separations results in investment allocation. The Separations Process already provides total interstate amounts which operate as a constraint upon AT&T in the allocation process. While further examination may be warranted, the present record does not show that AT&T's practice of distributing investment to individual Service categories subject to the overall interstate amounts provided by Separations violates Docket No. 18128 principles or otherwise produces unreliable results, as do residual costing procedures. The method we are prescribing on an interim basis is similar to existing procedures in that it merely applies the results of the Separations process for exchange investment to one additional level of disaggregation, i.e., to achieve a split between total message services and total private line services.

categories. AT&T presently employs distributive ratios developed by its FELTCAP study to assign exchange investment to individual private line Service categories. See paras. 68-75, *supra*. Since our major concern regarding cross-subsidization has been the possibility that AT&T's message services have been partially supporting its private line services, which traditionally have been more competitive, the question of possible cross-subsidization among the private line services themselves takes on somewhat less immediacy and can be considered in detail in our cost manual rulemaking proceeding. Having addressed the critical problem of achieving a reliable division of investment between message services and private line services as a whole, i.e., avoiding the subtractive approach, we shall refrain from prescribing alternative procedures for use in the allocation of exchange investment within the private line classification. Although we do not herein approve the use of FELTCAP distributive ratios to accomplish these subdivisions, it may not be unreasonable for AT&T to continue to utilize these ratios until such time as we can determine in our cost manual rulemaking whether or not they are suitable for use on a permanent basis. Of course, any methodology relied upon is subject to the requirements of our *Docket No. 18128* Decision.

99. The overall interstate exchange investment amounts assigned to message services by Separations must also be further divided between the constituent services.³⁰ With regard to this distribution between MTS, Inward WATS, and Outward WATS, we have previously found that AT&T also uses a "basic service" or residual costing approach. See *AT&T WATS Rejection Order*, 66 FCC 2d at 49-50. Furthermore, AT&T's description of costing procedures in its January and August 1977 Manuals indicates reliance on residual costing to divide exchange investment between MTS and WATS. The specific investment covered under that approach includes exchange circuit plant, telephone apparatus, station connections and large PBXs.

100. The surest method of eliminating these "basic service" problems would involve the development of investment amounts directly for MTS, as well as for other message services. As indicated above, however, AT&T does not currently develop such disaggregated investment data, nor is it evident that

for purposes of an interim solution such data could easily be developed. However, it appears that one aspect of AT&T's present costing approach can be modified to result in a more equitable distribution of exchange investment between MTS and WATS. Separations procedures currently distribute certain investments for "non-traffic sensitive" exchange plant between interstate and intrastate jurisdictions as a function of total interstate originating and terminating MTS and WATS minutes of use. By contrast, AT&T's January and August Manuals provide for the allocation of a portion of this investment to WATS on the basis of so-called "open-end" minutes only, i.e., the terminating end for Outward WATS and the originating end for Inward WATS.

101. Although we are not prepared to prescribe a change in these existing procedures at the present time, we recommend that AT&T consider modifying its manual procedure for purposes of allocating exchange investment to WATS service to include WATS minutes of use developed from both the originating and terminating ends. Since the Separations process takes account of total WATS usage, i.e., both "open" and "closed" end minutes of use, in assigning investment to the interstate jurisdiction it appears reasonable to assign exchange investment within the message services on this basis. Our best indications are that this method could be successfully employed to minimize the treatment of MTS as a residual for exchange investment not properly assigned to WATS. Moreover, AT&T has itself made references to the practicability of such an approach. See AT&T Brief and Exceptions, p. 68; AT&T 1978 Annual FDC Report pp. 1-13 to 1-16.

C. The Disposition of the MPL Tariff and Phase II

1. MPL Rates

102. In the foregoing paragraphs we found that AT&T's use of a "basic service" approach to allocate costs for a major plant category conclusively invalidated the MPL tariff support material. We thus found that AT&T has failed to carry its burden of justifying the MPL tariff under Section 201(b) of the Act in accordance with *Docket No. 18128* requirements. At this juncture we must determine whether the Phase I record permits the prescription of lawful rates to replace the unlawful MPL tariff. The Judge recommended the rejection of the MPL tariff. While he found that the record supported the prescription of costing practices and classifications, he also found that the record did not

support the prescription of replacement rates. In this regard he found no basis in the record for the reinstatement of the Series 2000/3000 rates that were in effect prior to the effectiveness of the Hi-Lo Tariff, as urged by MCI and WU. He also found unsupported the USTS/SPCC proposal for an interim prescription of rate elements uniformly higher by 17.9 percent than MPL rate elements. Thus, by his use of the term "rejection", we believe the Judge did not mean to recommend the immediate cancellation of the MPL tariff. Since the Judge recommended that AT&T be required to perform additional time-consuming studies, which presumably would culminate in a newly-effective Series 2000/3000 tariff, he apparently contemplated the continued effectiveness of MPL rates until these efforts could be completed. No party in this proceeding has seriously suggested AT&T's discontinuance of this private line service as the proper course pending the filing of an acceptable tariff. Yet such a result would obtain were we to create a void by cancelling the MPL tariff without at the same time prescribing a replacement tariff. This result obviously would not serve the public interest, as the discontinuance of AT&T's Series 2000/3000 service offerings could seriously disrupt the private line market.³¹ Therefore, unless we can prescribe lawful rates at this time, the MPL tariff must remain in effect until we are in a position to prescribe, or a new carrier-initiated tariff becomes effective.

103. Traditionally, the stumbling block to our prescription of rates for AT&T's service offerings has been our inability to obtain the cost information needed to determine just and reasonable rates under Section 205 of the Act.

Although we have conducted several in-depth investigations in which major AT&T tariffs have been found unlawful, in every case these findings of unlawfulness stemmed principally from AT&T's failure to justify its rate levels and rate structures with appropriate cost data.³² While the essentially negative findings on AT&T's cost justification in the WATS, DDS, and Hi-Lo investigations supported declarations of unlawfulness and the formulation of specific guidelines for the subsequent tariffs we ordered AT&T to file, the records in these proceedings disclosed

³¹ See 58 FCC 2d at 370, wherein we reached the same conclusion after determining that AT&T's Hi-Lo tariff was unlawful.

³² *Docket No. 19989, WATS*, 59 FCC 2d 671 (1978), *recon.*, 67 FCC 2d 538 (1977); *Docket No. 20288, DDS*, 62 FCC 774 (1977), *recon.*, 64 FCC 2d 994 (1977); *Hi-Lo; Interim Decision, supra, Hi-Lo Final Decision, supra*.

³⁰ The Overseas MTS Service Category is included among the message services, but will not be addressed in this context.

little reliable cost of service information which could have formed the basis for a rate prescription. Despite our frustration, we had no recourse but to allow the unlawful tariffs to remain in effect until AT&T complied with our orders to file superceding tariffs.³³

104. In this proceeding, which is the second evidentiary hearing on AT&T's Series 2000/3000 rates since 1973, AT&T has once again failed to produce reliable cost studies that can be used to develop a rate prescription. Although the probable effect of certain AT&T procedures, *i.e.*, its use of residual costing procedures is an understatement of MPL costs, we agree with the Judge, the Trial Staff, and AT&T that the existing record does not support the prescription of specific upward adjustments to MPL rate elements at this time. The Trial Staff has aptly pointed out some of the inconsistencies with our *Docket No. 18128* Decision in the derivation of the 17.9 percent increase urged by USTS/SPCC as an interim prescription. See Trial Staff Reply Findings, pp. 13-16. Underlying our reluctance to prescribe a specific increase, is the lack of accurate information on the MPL rate of return. AT&T has maintained throughout that this service is earning a rate of return significantly above the 9.5 percent figure at which rates must be targeted absent a *Docket No. 18128* waiver. It has been unable, however, to demonstrate the validity of the cost figures it used to calculate the MPL rate of return.

Unfortunately, this lack of reliable cost information which prevents us from accepting AT&T's reported MPL rate of return as accurate, also prevents us from concluding with any degree of certainty that MPL, or the larger service category, is actually earning a specified rate of return below 9.5 percent.³⁴ Therefore, we cannot assess whether the USTS/SPCC proposal would yield a lawful MPL rate of return.

105. In support of the proposed prescription of pre-Hi-Lo rates, MCI and WU emphasize AT&T's failure in the six years since filing the Hi-Lo tariff to

justify the lawfulness of its deaveraged Series 2000/3000 rates. These parties point out that the nationwide averaged rates in effect prior to the Hi-Lo tariff are the most recently effective rates which have not been found unlawful by the Commission. WU views the interim prescription of pre-Hi-Lo rates as a natural consequence of rejecting the MPL tariff which, in addition, would be fair to AT&T's competitors and customers, as well as give AT&T the incentive to comply with *Docket No. 18128* requirements.

106. We have considered proposals for a "rollback" to pre-Hi-Lo rates before, during earlier stages of this proceeding and in *Docket No. 19919*. Since the three-month suspension period had expired prior to the time we were able to render a decision in *Docket No. 19919* finding the Hi-Lo tariff unlawful, pre-Hi-Lo rates did not remain in effect by operation of law. See 58 FCC 2d 362 (1975). In our *Hi-Lo Final Decision* we found that the *Docket No. 19919* record was insufficient to support the prescription of pre-Hi-Lo rates, or other specific rates, and that the only reasonable alternative was to require AT&T to revise its tariff in accordance with our stated guidelines. Although we expressed the view in *Docket No. 19919* that AT&T's departure from uniform nationwide pricing practices, as a general principle, was a valid type of competitive response, we found that AT&T had not justified its claim that the specific rates and conditions in the Hi-Lo tariff were a reasonable application of this principle. However, our decision against prescribing pre-Hi-Lo rates was not based on any policy favoring rate deaveraging by established carriers to meet direct competition. Rather, it was rooted in our inability to determine from the record whether pre-Hi-Lo or other rates would be reasonable. Following the filing of the MPL tariff, we declined to reinstate pre-Hi-Lo rates during the pendency of the suspension period for the additional reason that such action would result in confusion and administrative difficulties. See 59 FCC 2d 428, 432-33 (1976); 65 FCC 2d 295, 302-304 (1977). Finally, we denied MCI's subsequent request for rejection and a "rollback" to pre-Hi-Lo rates on reconsideration of our *Bifurcation Order*. 68 FCC 2d 759, 762-763 (1978).

107. Despite the passage of several years and the completion of Phase I of this proceeding, we have no sounder basis for prescribing pre-Hi-Lo rates or other specific rates than we did at the time of the *Hi-Lo Final Decision*. We have little accurate cost information with which to judge the reasonableness

of the pre-Hi-Lo rates, or to determine what modifications might be necessary to bring these rates within a zone of reasonableness. Similarly we find it difficult to assess the prospective effect of a prescription of pre-Hi-Lo rates upon users, competitors, and AT&T, as these rates have not been in effect for some six years and we do not know what effect the passage of time may have had. We note in this regard that the parties which characterize pre-Hi-Lo rates as fair to competitors have never demonstrated the impact of the present effectiveness of MPL rates upon their ability to compete with AT&T. Indeed, it appears that AT&T's principle competitive offering in the private line market is Series 5000 (Telpak), rather than MPL.³⁵

2. Phase II

108. Having determined that MPL rates are unjust and unreasonable under Section 201(b) of the Act; that the MPL support material is unreliable and violates *Docket No. 18128*; and, that the Phase I record does not support either an interim or permanent prescription of rates, we must now decide whether or not to continue on to a Phase II investigation of the MPL rate structure. Our primary concern is that the results of additional hearings would be inconclusive and, therefore, unlikely to produce a lawful Series 2000/3000 tariff within a reasonable time. The Judge concluded in the ID that no useful purpose would be served by entering Phase II of this proceeding because of the numerous deficiencies he found in AT&T's costing practices and procedures. He therefore recommended terminating the hearing and ordering AT&T to immediately conduct a new cost study in accordance with the recommended ID Manual. In its Petition for Immediate Resumption of Hearings the Trial Staff claims this termination action leaves no forum for determining the lawfulness of the MPL rate structure, contrary to our directives in the *Bifurcation Order*.

109. As Phase I of this proceeding dealt exclusively with the allocation of costs to Series 2000/3000 as a whole, it appropriately did not resolve the central issues relating to the lawfulness of the MPL rate structure. In our *Bifurcation Order* we recognized that these rate structure issues were somewhat independent of our Phase I concerns and could be considered following

³³ In *DDS* AT&T was faced with the discontinuance of this new service and shortly thereafter filed interim rates which paralleled its Tariff FCC 280 rates. The basis of this filing was our finding in *Docket No. 20288* that analog and digital channels were like services. These rates remain in effect, as AT&T's subsequent *DDS* tariff filing was rejected, 67 FCC 2d 1195 (1978), *recon. denied* 70 FCC 2d 616 (1979).

³⁴ AT&T includes Series 2000/3000 along with Series 4000 (telephoto) and Series 8000 (wide band channels) in the service category designated "Private Line Telephone Channels." AT&T's 1978 Annual FDC Report (Central Submission), filed in July 1979, states at page 1-16 that Series 2000/3000 (MPL) accounts for 98 percent of the total revenues in this Service category.

³⁵ Although it appears AT&T has not submitted this information in any of its economic or financial statements, the staff has estimated that Telpak includes over 30 times the number of equivalent single channel circuit miles contained in Series 2000/3000.

completion of the initial hearings. Our original decision in 1976 to investigate the MPL tariff was motivated largely by the possibility that this rate structure might produce anticompetitive effects or unlawfully discriminate against certain users. 59 FCC 2d at 431. As noted earlier, the MPL filing marked AT&T's second attempt to deaverage theretofore uniform private line rate structure. The carrier had been unable to justify the somewhat similar Hi-Lo rate structure in Docket No. 19919 and was under order to refile a Series 2000/3000 tariff. Thus, questions concerning AT&T's deaveraging of its Series 2000/3000 rate structure, which first arose in the context of the Hi-Lo tariff, still remain unanswered.

110. One reason to conduct a Phase II, then, would be to evaluate the variations in MPL rates applicable to different users of Series 2000/3000 services with the ultimate aim of providing relief to users and competitors who may be harmed by any unlawful discrimination found in the rate structure.

Thus, in Phase II AT&T would be required to provide cost and any other information necessary to justify differentials in the MPL rate structure in accordance with the standards we have set forth.³⁶

111. If at the conclusion of Phase II we were to find the MPL rate structure unlawful under Section 202(a) of the Act, our ability to prescribe a new Series 2000/3000 rate structure, or impose meaningful requirements for the elimination of unlawful discrimination in the next AT&T filing, could well depend upon the quality of the cost

information produced in the hearing. Illustratively, the basis for our finding of unlawful discrimination in the Hi-Lo Decision was AT&T's failure to document the various cost elements underlying its Hi-Lo rate structure. While we concluded that AT&T had not justified the rate differentials in the Hi-Lo tariff, we had little useful cost information with which to determine what might constitute a lawful Series 2000/3000 rate structure. As a result, AT&T's next filing, the MPL tariff, displayed even greater rate variations than its predecessor.

112. Phase I of this proceeding has demonstrated the unreliability of the procedures AT&T used to allocate costs to Series 2000/3000 as a whole. Our "basic service" findings and indications in the Phase I record of other deficiencies in AT&T's cost studies lead us to conclude that AT&T probably would be unable to furnish sufficient cost information to justify the MPL rate structure or even to give us some idea of the relative costs of providing this service to different rate centers or by length of haul. Although in one case we are dealing with allocations to the service overall, and in the other with internal allocations to the tariffed items which comprise the rate structure, we find it difficult to believe that AT&T has used reliable procedures in the latter case, when it failed to do so in the former. Thus, by entering Phase II at the present unsatisfactory stage of FDC implementation, we would run a substantial risk of yet another inconclusive hearing.

113. A second reason for holding Phase II would be to increase our understanding of the particular method by which AT&T has deaveraged certain costs to arrive at the three MPL rate schedules. The Phase II rate structure inquiry could also serve as the context for examining rate deaveraging as a general matter and formulating policies which could have implications for other service offerings. For example, the deaveraged MPL rate structure, and the Hi-Lo rate structure before it, contain rate center classifications based primarily on systemwide facility density. Facility density is only one of numerous cost elements which could support rates designed to reflect the cost differentials inherent in the provision of service to different locations or customer groups. Other important cost variables which might equally well have been used by AT&T as the basis for rate deaveraging include: the specific type or mix of carrier systems in use,³⁷ inside

plant costs, topography, direct and indirect labor costs, density of facilities actually used to provide Series 2000/3000 service, etc. Since the filing of the Hi-Lo tariff in 1973, AT&T has made no showing that systemwide facility density, as opposed to other variables, is a significant and appropriate cost element which justifies the rate variations in its deaveraged Series 2000/3000 tariffs. Although we have previously indicated that rate deaveraging may be justified by the existence of direct competition, we recognize the potential for latent market segmentation inherent in this practice, and the concomitant difficulty of recognizing and redressing discriminations based upon selective cost deaveraging. Phase II might provide us with the opportunity to secure greater knowledge and, hence, control in the area of rate structure design by exploring, among other things, the reasons which prompt a carrier to deaverage a uniform rate structure; the decisions underlying a carrier's choice of particular cost elements to deaverage for ratemaking purposes; the need for the carrier to justify the significance and appropriateness of the cost elements it selects in lieu of other cost elements; the rationale for selecting cost elements more closely related to the overall business of the carrier than to the specific service for which rates are to be deaveraged; the public interest considerations associated with the carrier's decision as to the extent of deaveraging; and the need for consistency in the nature and extent of rate deaveraging as between comparable service offerings. On this last point we note AT&T's failure to apply the same deaveraging concepts to like or comparable services including Series 4000 voice-grade channels for facsimile transmission and Series 5000 (Telpak) volume discounted voice and telegraph-grade channels. We believe these inconsistencies bear looking into.

114. Although we have pointed out a number of issues which could be addressed in Phase II, we are not convinced that this is the best course for us to follow at the present time. Moreover, we are today instituting a rulemaking proceeding which will examine issues of major importance to our evaluation of tariffs and rate structures and likely require significant changes in all of AT&T's private line tariffs. FCC 79-565, adopted September 20, 1979. We are undertaking this rulemaking for the specific purpose of reforming the tariffing process with the ultimate aim of eliminating unlawful

³⁶ Our *Hi-Lo Interim Decision* contained detailed guidelines on the support material to be filed with a new Series 2000/3000 tariff. Much of the required information went to rate structure issues. See 55 FCC 2d at 248-47; 58 FCC 2d at 321. Also, in our *Bifurcation Order*, we emphasized the need for AT&T to provide full cost rates for each separate mileage charge or separate usage charge as justification for its rate structure. Assuming a just, reasonable and nondiscriminatory rate structure, the full cost, benchmark rate for any tariffed item should be provided based on properly allocated historical full recorded costs, or revenue requirement. Proper allocation is defined as one that at a minimum, is consistent with our Docket 18128 guidelines and other Commission policies and statutory obligations concerning appropriately developed rates. Appropriate demand and cost elasticities should also be taken into accounts as well as the need for efficient utilization of the in-place network in developing full cost rates. Finally, the rate for each tariffed item, in order to be properly considered a full cost, benchmark rate, should be designed to recover its properly allocated historical revenue requirement. . . Providing rates based on full costs serves a basic regulatory purpose. If there is any need to depart from full cost rates, the Commission needs not only to understand and approve the reason for the departure, but also to know exactly what rates are being departed from.

³⁷ Recent vintage carrier systems, such as the L-5 cable, can be several orders of magnitude less

expensive on a per circuit basis than older, less sophisticated systems.

discriminations stemming from rate structural design, both between and within service offerings, and facilitating our review of rate structures for possible unlawfulness. The need for self-effective, long-range solutions to the limitations of the investigatory process we have traditionally relied upon is evident. Unjustified and unlawful tariffs have remained in effect often for years while under investigation, only to be replaced by other tariffs which themselves are later found to be unlawful. Where replacement tariffs have been found to be recognizably unlawful at the time of their filing, as in the case of the most recent WATS revisions we have had little choice but to exercise our rejection power with the unsatisfactory result that the former unlawful tariff must remain in effect for an even longer period of time. The paucity of useful cost information submitted by AT&T in this proceeding, and in Docket No. 19919 before it, has prevented meaningful progress toward the determination of lawful Series 2000/3000 rates. These two proceedings demonstrate the carrier's ability to frustrate the regulatory process by its failure to provide the kinds of information we require for a reasoned analysis of its tariffs. This recent history strongly suggests the need to explore innovative approaches to rate structure analysis and evaluation before proceeding with another traditional rate investigation. Although we are hopeful that our rule-making will reveal solutions to some of the problems in this area, we recognize that its success will largely depend upon the degree to which AT&T cooperates with our efforts. In the event this cooperation is not forthcoming, we will be compelled to utilize other means, such as the possible institution of monetary forfeitures, in an effort to obtain compliance with our orders in the future.

115. Thus, we believe that to presently conduct a Phase II in this proceeding would not provide us with the means to break this pattern of repeated unlawful tariff filings. Alternatively, by establishing general guidelines for the simplification and consistent derivation of tariffs, as we plan to do in our rulemaking, we believe we can go far toward enhancing the comparability of a carrier's separate tariff offerings, thus minimizing the potential for market segmentation, and increasing the effectiveness of our investigatory efforts. While this course will not guarantee immediate or near-term relief to the customers and competitors who may be harmed as a result of the MPL rate structure, we believe these groups

will benefit from the tariff reform we intend to effect as a result of our broader inquiry.

116. That a possibly unlawful MPL rate structure will be allowed to remain in effect for a longer period of time is indeed unfortunate. In our judgment, however, a Phase II would not likely bring us closer to achieving a reasonable, non-discriminatory Series 2000/3000 rate structure. Nevertheless, we have outlined certain of our concerns with the MPL rate structure in some detail because we do not want to lose sight of the importance of these issues or the need to ultimately resolve them. We do believe our rate structure rulemaking proceeding has the potential for significantly reducing the carrier's freedom to use rate structural devices to mask intraservice and interservice discriminations and, thereby, handicap our efforts to compare tariffed service offerings. We, therefore, will forego investigating the MPL rate structure at this time.

IV. Conclusions

117. In this Phase I investigation of AT&T's cost allocation procedures we have found that the carrier continues to employ a "basic service" or residual costing approach in the allocation of exchange plant costs to its various service categories. The use of a subtractive method to determine the exchange plant costs assigned to message services violates our *Docket No. 18128* Decision. This violation permeates the methodology used to derive the service by service investment amounts shown in AT&T's Central Submission. This violation also renders the MPL support material unreliable and inadequate to justify the specific MPL rates under investigation. We therefore have found the MPL tariff unjust, unreasonable and unlawful in violation of Section 201(b) of the Act and our *Docket No. 18128* Decision. We did not make findings on the other aspects of AT&T's methodology considered at hearing because our decision to prescribe a cost implementation manual in another proceeding minimizes the need to reach definitive conclusions in these areas at the present time.

118. Recognizing that we would have to prescribe a cost manual in order to achieve satisfactory cost of service information, we considered adopting the ID Manual recommended by the Judge. We found that additional analysis of the ID Manual and a review of alternative procedures is necessary before we can prescribe a cost manual for general use by AT&T. We, therefore, have initiated a rulemaking proceeding for the

exclusive purpose of prescribing a cost manual.

119. Our findings on the "basic service" question, however, convinced us of the need for prompt, decisive action to ameliorate this egregious violation of Section 201(b) of the Act and our *Docket No. 18128* Decision. In so doing we would hope to improve the quality of AT&T's cost information to the point where it could be used in rate evaluation pending the completion of our efforts to implement a prescribed cost manual. The interim method we arrived at for reducing the impact of "basic service" procedures upon the allocation of exchange plant involves the use of separations data to achieve a split in total exchange plant costs between private line and message services. The resulting overall amounts would operate as a constraint upon AT&T in the allocation process. We found that the immediate prescription of this procedure is consonant with our *Docket No. 18128* objectives and is otherwise in the public interest.

120. We have also determined that the record in Phase I of this proceeding does not permit the prescription of replacement rates for the unlawful MPL rates. Finally, we have decided not to pursue a Phase II investigation of the MPL rate structure for the reasons cited in paras. 108-116, *supra*.

121. Accordingly, it is ordered, That pursuant to Section 201(b) of the Communications Act, 47 USC § 201(b), and the *Docket No. 18128* Decision, the revisions of Tariff FCC Nos. 260, 264, and 266 filed in AT&T Transmittal Nos. 12546, 12547, 12716, and 12927 are UNLAWFUL as indicated herein.

122. It is further ordered, That the revisions found unlawful herein which are presently in effect shall continue in effect, pending further Commission Order, unless cancelled by a subsequent AT&T tariff revision.

123. It is further ordered, That, pursuant to Section 408 of the Communications Act, 47 USC § 408, this Final Decision and order shall become effective thirty days after publication in the Federal Register.

124. It is further ordered, That, pursuant to Section 205 of the Communications Act, 47 USC § 205, the procedures indicated in paras. 93-97, *supra*, are prescribed for immediate use by AT&T in the development of its 1979 Annual FDC Report (Central Submission) to be filed mid-1980, pending further Commission Order.

125. It is further ordered, That within 10 days of the effectiveness of this Final Decision and order AT&T shall submit an explanation of its intended method

for implementing the procedures prescribed herein.³⁸

126. It is further ordered, That the petition to reject AT&T Transmittal No. 12788 filed by SPC is dismissed.

127. It is further ordered, That Docket No. 20814 is terminated.³⁹

Federal Communications Commission*
William J. Tricarico,
Secretary.

Dissenting Statement of Commissioner
Joseph R. Fogarty
In Re AT&T Charges for Private Line
Services—MPL.

I wish to voice a symbolic dissent against what has clearly become a burlesque on the regulatory process.

The history of this proceeding provides a case study in regulatory frustration and futility. This history began in November of 1973 when AT&T filed its Hi-Lo rates for private line service. Close to three years later, and after suspension period and extensive hearing, the Commission finally concluded that AT&T failed to show that its Hi-Lo tariff was just and reasonable. The record unfortunately was insufficient for the Commission to prescribe replacement rates, and therefore we allowed the Hi-Lo rates to remain in effect for 90 days pending AT&T's filing of a new private line tariff. The AT&T response was the filing of the MPL tariff in 1976. Because this MPL tariff raised substantially the same questions of lawfulness, these rates were suspended too and set for hearing. Some four months later, the Commission issued its *Docket No. 18128* decision. In March of 1978 we designated a Phase I in this proceeding to determine whether the MPL support material filed by AT&T in 1977 was consistent and in compliance with the *Docket No. 18128* guidelines. Hearings were completed in October 1978, and the ALJ issued his extensive Initial Decision on March 19, 1979. Now, three years after the filing of MPL and close to six years after AT&T first filed deaveraged rates for competitive private line services, we conclude that AT&T has failed again to demonstrate that its tariff is just and reasonable. Woefully, we still lack the sufficient record on which to prescribe a proper private line rate structure.

I believe that in the long run Commission rulemakings on the rate structure and volume discount practices of AT&T, on revision of the Uniform System of Accounts, and on the development of a Docket No. 18128

compliance manual for AT&T will come to grips with this recurring problem of AT&T tariff compliance. However, in the long run we are all dead, and at this juncture the public interest is just, reasonable, and nondiscriminatory rates clearly stands unmet.

If the public interest stands 0 and 2 with respect to these private line tariff proceedings, it is also appropriate to observe that AT&T now has two strikes against it. In this regard, I have been sorely tempted to move the Commission to cancel the existing MPL tariff as a remedy for AT&T's patent and persistent failure to justify its rates and to comply with statutory and rule provisions and outstanding Commission Orders. Perhaps this is thinking the unthinkable because cancellation of the AT&T MPL tariff would leave thousands of private line users without essential service, and I want to protect these customers, of course. Nonetheless, it may be appropriate to think the unthinkable if the effect of ordering cancellation of an unjustified private line tariff on 30 days notice would be the expedited filing by AT&T of a legally sufficient and reviewable tariff.

In the future, I also believe it will be necessary and proper for the Commission to consider the imposition of the maximum forfeiture allowed under the Act for apparent "willful or repeated" violations of statutory and rule provisions, as well as outstanding Commission Orders—forfeitures that would be charged to the AT&T shareholders.

As a final matter, I would observe that out of an abundance of caution and charity, the Commission here does not find it necessary to review and pass upon the findings of the I.D. which suggest that the MPL tariff is anti-competitive in effect, if not also in intent. Our charity, however cannot be unbounded, and in the future, when the Commission is confronted with an AT&T competitive service tariff filing which is so clearly lacking in supporting justification, it should designate and pursue issues as to whether such filings are predatory, in intent as well as in effect.

I hope and trust that the patience and restraint which the Commission shows in this proceeding will not be interpreted as a lack of resolve or dedication in bringing this sorry regulatory saga to a speedy and decisive conclusion. Enough is enough.

[FR Doc. 79-30805 Filed 10-5-79; 8:45 am]

BILLING CODE 6712-01-M

[FCC 79-616]

Closed Circuit Test of Emergency Broadcast System Scheduled for October 23, 1979

October 1, 1979

A test of the Emergency Broadcast System (EBS) has been scheduled for Tuesday, October 23, 1979 between 2:03:30 and 2:09:00 P.M. Washington, D.C. time. Only ABC, MBS, NPR, AP Radio, CBS, IMN, NBC, and UPI Audio Radio network affiliates will receive the Test Program for the Closed Circuit Test. AP and UPI wire service clients will receive activation and termination

messages of the Closed Circuit Test. Television networks are not participating in the Test.

Network affiliates will be notified of the test procedures via their network beginning four days in advance of the test. Test messages will also be run by AP and UPI radio press wire services for four days in advance of the test to insure wide dissemination of the test announcement and schedule.

Final evaluation of the October test is scheduled to be made by the end of November, 1979.

This is a Closed Circuit Test and Will not be Broadcast Over the Air.

Action by the Commission September 28, 1979. Commissioners Ferris (Chairman), Lee, Quello, Washburn, Fogarty, Brown and Jones.

Federal Communications Commission,
William J. Tricarico,
Secretary.

[FR Doc. 79-31101 Filed 10-5-79; 8:45 am]

BILLING CODE 6712-01-M

[Report A-3]

TV Broadcast Applications Accepted for Filing and Notification of Cut-Off Date

Released: October 2, 1979.

Cut-Off Date: November 30, 1979.

Notice is hereby given that the applications listed in the attached appendix are hereby accepted for filing. They will be considered to be ready and available for processing after November 30, 1979. An application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on November 30, 1979 which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., no later than November 30, 1979.

Petitions to deny any application on this list must be on file with the Commission not later than the close of business on November 30, 1979.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Attachments.

BPCT-790205KE (new), Greensboro, North Carolina, Consolidated Broadcasting, Channel 61, ERP: Vis. 6.62kW, HAAT: 559 ft.

BPCT-790522KF (new), Tomah, Wisconsin, Tomah Television Company, Inc., Channel 43, ERP: Vis. 180 kW; HAAT: 719.5 ft.

BPCT-790523KE (WGNO-TV), New Orleans, Louisiana, Greater New Orleans Television,

³⁸ We shall expect AT&T to implement this prescription with respect to support data for all tariff filings made after the effectiveness of this Order unless it can demonstrate that such early implementation would impose an extreme burden on its processes. We delegate authority to the Chief, Common Carrier Bureau to defer implementation in this regard if he is convinced that AT&T has adequately supported the necessity for any delay.

³⁹ AT&T presently is under order to keep account of all monies received by reason of the MPL rate increases. See *MPL Designation Order*, 59 FCC 2d at 434. This order will remain in effect, pending further Commission action.

*See attached Dissenting Statement of Commissioner Joseph R. Fogarty.

Inc., Channel 28, ERP: Vis. 2723 kW; HAAT: 1015 ft.
 BPCT-790725KE (new), Centralia, Washington, Tacoma School District, Channel 15, ERP: Vis. 800 kW; HAAT: 2133 ft.
 BPCT-790318KH (new), Buffalo, New York, Anax Broadcasting, Inc., Channel 49, ERP: Vis. 1030 kW; HAAT: 933 ft.
 BPCT-790822KE (new), Salt Lake City, Utah, American TV of Utah, Inc., Channel 14, ERP: Vis. 1680 kW; HAAT: 3,840 ft.
 BPCT-790318KG (new amendment), Prescott, Arizona, William H. Sauro, Channel 7, ERP: Vis. 8.79 kW; HAAT: 2,810 ft.
 [FR Doc. 79-31102 Filed 10-5-79; 8:45 am]
 BILLING CODE 0712-01-13

[FCC 79-567]

Location of Report and Certified Record in the Matter of Inquiry Into Alleged Improper Activities by Southern Bell Telephone & Telegraph Co. and Southwestern Bell Telephone Co., CC Docket No. 78-242

October 1, 1979.

By Order FCC 78-567, released August 7, 1978, the Commission instituted a non-public inquiry under Section 403 of the Communications Act to determine whether the Southern Bell Telephone and Telegraph Company, the Southwestern Bell Telephone Company, or other Bell System operating companies have violated, or continue to violate accounting, reporting, ratemaking, anti-wiretapping and character requirements of this Act or the Commission's Rules (See, Sections 201, 217, 219, 220, 308 and 605 of the Act, and Part 31, Sections 43.21 and 43.31 of the Rules). That investigation is now complete, and the record has been certified to the Commission by the Presiding Judge. Moreover, the Common Carrier Bureau has forwarded their report and recommendations for the Commission's consideration.

By Order FCC 79-566, released simultaneously today, the FCC has determined to elicit comment by interested persons and the Bell System on the report and the certified record. Comments are being sought on, among other topics, the recommendations relating to possible remedial actions and the staff's proposal that the Commission begin an inquiry to strengthen and clarify reporting responsibilities under Sections 219 and 220 of the Act.

Comments are due to be filed no later than November 15, 1979, with replies to be filed no later than November 30, 1979.

Copies of the report and recommendations may be obtained from Virginia L. Carter, Compliance & Litigation Task Force, 2025 M Street, N.W., Room 6202A, Washington, D.C.

(Telephone (202) 632-4887). Upon resolution of certain outstanding claims for confidentiality, the record shall be open for public inspection in Room 239 of the Commission Offices, 1919 M Street, N.W., Washington, D.C. 20554, during normal business hours.

Action by the Commission September 20, 1979. Commissioners Ferris (Chairman), Lee, Washburn, Fogarty and Brown, with Commissioner Quello concurring in part and dissenting in part, and Commissioner Jones concurring and issuing a statement.

Federal Communications Commission,
 William J. Tricarico,
 Secretary.

Concurring Statement of Commissioner Anne P. Jones

In Re Investigation of Southern and Southwestern Bell Telephone Companies, CC Docket No. 78-242.

I regret the necessity for republishing information which already has been adequately disclosed and has caused pain to many individuals. However, reluctantly, I concur that disclosure is required.

[FR Doc. 79-31103 Filed 10-5-79; 8:45 am]

BILLING CODE 0712-01-13

FEDERAL MARITIME COMMISSION

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10423 or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before October 29, 1979. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the

commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No. T-2401-4.

Filing Party: Leslie E. Still, Jr., Senior Deputy City Attorney, City of Long Beach, Harbor Administration Building, P.O. Box 570, Long Beach, California 90801.

Summary: Agreement No. T-2401-4, between the City of Long Beach (City) and Sea-Land Service, Inc. (Sea-Land), modifies the basic agreement which provides for the preferential assignment covering the lease to Sea-Land of certain premises for use as a marine terminal. The purpose of the modification is to correct a mutual mistake of fact embodied in modification T-2401-3 (approved August 9, 1978) setting forth the intention of the parties with respect to the making of certain payments by Sea-Land in connection with the construction of building improvements.

Agreement No. T-3787-2.

Filing Party: H. H. Wittren, Manager, Waterfront Real Estate, Port of Seattle, P.O. Box 1209, Seattle, Washington 98119.

Summary: Agreement No. T-3787-2, between the Port of Seattle (Port) and Hapag-Lloyd AG, Hamburg, Bremen (HL), modifies the parties' basic agreement which provides for the Port's lease to HL of certain premises at Terminal 18, Seattle, Washington, together with the preferential use of ships' berth and pier apron, two Port-owned container cranes and eight straddle carriers. The purpose of the modification is to amend paragraph 45(a) of the basic agreement, "use of premises," to include Yangming Corporation vessels in addition to the lines already permitted to use the facilities.

Agreement No. T-3858.

Filing Party: E. E. Lee, Jr., Deputy Executive Director, North Carolina State Ports Authority, P.O. Box 3248, Wilmington, North Carolina 28408.

Summary: Agreement No. T-3858, among the Mid-Gulf Seaports Marine Terminal Conference (MGSMTTC), the Terminal Operators Conference of Hampton Roads (TOCOHR), and the South Atlantic Marine Terminal Conference (SAMTC), provides for the formation of a joint conference whereby the members of MGSMTTC, TOCOHR, and SAMTC may meet, confer, discuss, exchange information, and make recommendations on rates, charges, practices, legislation, port administration and procedures and matters of concern to the marine terminal industry. The agreement does not confer ratemaking power upon the members nor shall any action taken pursuant to the agreement be binding upon the members. The agreement does not preclude said conferences from taking any action without the concurrence of the others, provided, however, that with respect to recommendations made pursuant to Agreement No. T-3858, the conference taking such action shall promptly notify the other conferences. Agreement No. T-3858 shall become effective on the date of approval by the Federal Maritime Commission, and shall

supersede Federal Maritime Commission Agreement No. T-2299, between SAMTC and TOCOHR.

Agreement No.: T-3885.

Filing Party: F. J. Di Pietro, Port Manager, Port of Redwood City, 775 Harbor Boulevard, Redwood City, California 94063.

Summary: Agreement No. T-3885, between the Port of Redwood City (Port) and Sequoia Cargo Systems, Inc. (Sequoia), provides for the nonexclusive license to Sequoia for the provision of stevedoring services to users of Port's facilities. As compensation Sequoia will pay Port a permit fee of two percent of its gross receipts or \$60,000 annually, whichever is greater, as well as all terminal tariff charges. The initial term of the license agreement is five years, with a five-year renewal option.

Agreement No.: 9548-17.

Filing Party: Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C. Suite 300, 2033 K Street, NW., Washington, D.C. 20006.

Summary: Agreement No. 9548-17, amends Article 13.5 of the basic agreement of the North Atlantic Mediterranean Freight Conference by adding specific language which requires a vote of two-thirds of the members of Section 1 of the Conference for action to be taken by that Section, except for those specifically designated matters which require a vote of all Conference Members, less one. Presently, Article 13.5 fails to state a particular voting requirement.

Agreement No.: 9938-3.

Filing Party: Neal M. Mayer, Esquire, Coles & Goertner, 1000 Connecticut Avenue, NW., Washington, D.C. 20036.

Summary: Agreement No. 9938-3 proposes to extend the Lloyd Brasileiro/Netumar Line Cooperative Working Arrangement in the Brazil trade for 3 years, to December 31, 1982. This modification also amends Article III of the agreement by altering the parties' method of handling Brazilian flag overcarriage and undercarriage payments relative to several pooling agreements and clarifying the parties' division of the the Brazilian flag share under these agreements.

Agreement No.: 10051-4.

Filing Party: Howard A. Levy, Suite 727, 17 Battery Place, New York, New York 10004.

Summary: Agreement No. 10051-4 modifies the Mediterranean Force Majeure Agreement by extending the term of the agreement to December 13, 1982.

By Order of the Federal Maritime Commission.

Dated: October 3, 1979.

Francis C. Hurney,
Secretary.

[FR Doc. 79-31114 Filed 10-5-79; 8:45 am]

BILLING CODE 6730-01-M

Independent Ocean Freight Forwarder License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to

section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Salvador Mourra, 523 Gravier St., #700, P.O. Box 1281, New Orleans, LA 70004.

Glen Ellyn Storage Corporation, 384 Duane St., Glen Ellyn, IL 60137, Officers: David J. Hennicke, President, C. J. Hennicke, Secretary/Treasurer.

Transocean Shipping Co. (Walter James Davis, dba), 111 Church St., Rm. 22/23, Charleston, SC 29401.

Lynch, Lynch & Associates, Inc., Highway 101, Beaufort, NC 28516, Officers: Clifton Arnold Lynch, President, Dorothy Nelson Lynch, Secretary/Treasurer.

Phoenix International Forwarders (Phoenix Enterprises Corporation, dba), 201 Sevilla Avenue, Suite 305, Coral Gables, FL 33134, Officers: Peter C. Ring, President, Jose L. Figueroa, Vice President, Daniel E. Harring, Secretary/Treasurer.

Winair Freight Inc., 1810 Tonnelle Avenue, North Bergen, NJ 07047, Officers: Ernesto J. Sanjurjo, President, Julio Siberio, Secretary. Transworld Forwarding Corp., 10060 SW 166th Street, Miami, FL 33157, Officer: Bernardo Diaz, President/Director.

By the Federal Maritime Commission.

Dated: October 1, 1979.

Francis C. Hurney,
Secretary.

[FR Doc. 79-31113 Filed 10-5-79; 8:45 am]

BILLING CODE 6730-01-M

GENERAL SERVICES ADMINISTRATION

[Wildlife Order 137]

Portion, Naval Auxiliary Landing Field, Charlestown, R.I.; N-RI-469B; Transfer of Property

Pursuant to Section 2 of Pub. L. 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By letter from the General Services Administration, Boston, Massachusetts Regional Office, dated August 22, 1979, approximately 307 acres of land improved with runways and two structures, identified as a portion of the Naval Auxiliary Landing Field, Charlestown, Rhode Island, were transferred to the Department of the Interior for use by the Fish and Wildlife Service.

2. The above described property was conveyed for use as a migratory bird refuge in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b), as amended by Public Law 92-432.

Dated: September 27, 1979.

William R. Campbell, Jr.,

Acting Commissioner, Federal Property Resources Service.

[FR Doc. 79-31125 Filed 10-5-79; 8:45 am]

BILLING CODE 6820-96-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Advisory Committee; Filing of Annual Report

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: Under the Federal Advisory Committee Act annual reports of the various committees must be filed with the Library of Congress. These have been filed, and a list appears below.

FOR FURTHER INFORMATION CONTACT:

Richard L. Schmidt, Committee Management Office (HFA-306), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2765.

SUPPLEMENTARY INFORMATION: Under section 13 of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the annual reports required by the Act for the following Food and Drug Administration advisory committees have been filed with the Library of Congress:

Office of the Commissioner:

Board of Tea Experts

National Center for Toxicological Research:

Science Advisory Board

Bureau of Biologics:

Panel on Review of Allergenic Extracts

Panel of Review of Blood and Blood

Derivatives

Bureau of Drugs:

Anesthetic and Life Support Drugs

Advisory Committee

Anti-Infective and Topical Drugs Advisory

Committee

Arthritis Advisory Committee

Cardiovascular and Renal Drugs Advisory

Committee

Drug Abuse Advisory Committee

Endocrinologic and Metabolic Drugs

Advisory Committee

Fertility and Maternal Health Drugs

Advisory Committee

Gastrointestinal Drugs Advisory

Committee

Oncologic Drugs Advisory Committee

Panel on Review of Antimicrobial Agents

Panel on Review of Miscellaneous External

Drug Products

Panel on Review of Miscellaneous Internal

Drug Products

Panel on Review of Oral Cavity Drug

Products

Peripheral and Central Nervous System

Drugs Advisory Committee

Psychopharmacologic Drugs Advisory

Committee

Pulmonary-Allergy Drugs Advisory Committee
Radiopharmaceutical Drugs Advisory Committee

Bureau of Medical Devices:

Circulatory Systems Devices Panel
 Clinical Chemistry and Hematology Devices Panel
 General Medical Devices Panel
 Immunology and Microbiology Devices Panel
 Obstetrics-Gynecology and Radiologic Devices Panel
 Ophthalmic, Ear, Nose, and Throat; and Dental Devices Panel
 Respiratory and Nervous System Devices Panel
 Surgical and Rehabilitation Devices Panel
 Device Good Manufacturing Practice Advisory Committee

Bureau of Radiological Health:

Medical Radiation Advisory Committee
 Technical Electronic Product Radiation Safety Standards Committee

Annual reports are available for public inspection at (1) the Library of Congress, Special Forms Reading Room, Main Building, First St. and Independence Ave., SE., Washington, DC 20540, (2) the Department of Health, Education, and Welfare Library, Rm. 1433, 330 Independence Ave., SW., Washington, DC 20201, on weekdays between 9 a.m. and 4:30 p.m., and (3) the office of the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday. Copies are available upon request from the office of the Hearing Clerk.

Dated: October 2, 1979.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-31050 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 75N-0230; DESI 1786]

Certain Combination Drugs Containing Organic Nitrates; Opportunity for Hearing on Proposal To Withdraw Approval of New Drug Applications; Correction

AGENCY: Food and Drug Administration.

ACTION: Correction.

SUMMARY: In FR 79-25275 appearing at page 48351, in the Federal Register of August 17, 1979, the NDA number for the Bolar Pharmaceuticals products Pentaerythritol Tetranitrate 10 milligrams and 20 milligrams, listed on page 48352 as NDA 16-26, is corrected to read NDA 16-626.

Dated: October 2, 1979.

Jerome A. Halperin,

Acting Director, Bureau of Drugs.

[FR Doc. 79-31049 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-03-M

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by Kenneth Hansen, District Director, Seattle District Office, Seattle, WA.

DATE: The meeting will be held from 1:30 p.m. to 4 p.m., Thursday, November 8, 1979.

ADDRESS: The meeting will be held at Lloyd Center Auditorium, 947 Lloyd Center, Portland, OR 97232.

FOR FURTHER INFORMATION CONTACT: Ellen Miller, Consumer Affairs Officer, Food and Drug Administration, Department of Health, Education, and Welfare, 5003 Federal Office Building, Seattle, WA 98174, 206-442-5258.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's Seattle District Office, and to contribute to the agency's policymaking decisions on vital issues.

Dated: October 2, 1979

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-31049 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-03-M

Health Professional Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming Health Professional Exchange Meeting to be chaired by George R. White, District Director, Atlanta District Office, Atlanta, GA.

DATE: The meeting will be held from 1 p.m. to 5 p.m., Friday, October 19, 1979.

ADDRESS: The meeting will be held at the Coker Life Science Bldg., University Campus, Rm. 215, 1400 Sumter St., Columbia, SC.

FOR FURTHER INFORMATION CONTACT: Ana M. Rivera, Consumer Affairs Officer, Food and Drug Administration,

Department of Health, Education, and Welfare, 880 W. Peachtree St. NW., Atlanta, GA 30309, 404-881-7355.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between health professionals and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local health professionals and FDA's Atlanta District Office, and to contribute to the agency's policymaking decisions on vital issues.

Dated: October 1, 1979.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 79-31051 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-03-M

Office of the Secretary

Privacy Act of 1974; Report on Altered System

AGENCY: Office of the Inspector General, Office of the Secretary, Department of Health, Education, and Welfare.

ACTION: Notification of Report on Altered System, Investigative Files of the Inspector General, HEW/OS/OIG.

SUMMARY: The Department of Health, Education and Welfare (HEW) proposes to alter the system of records entitled "Investigative Files of the Inspector General, HEW/OS/OIG", under the Privacy Act.

DATES: The Department has sent altered system reports for this system to the Congress and OMB on September 28, 1979. The revisions to the system notice will be operational 60 days from the date submitted to OMB.

ADDRESS: Written comments should be addressed to Privacy Act Coordinator, Office of the Inspector General, Department of Health, Education and Welfare, Room 5652, 330 Independence Avenue SW., Washington, D.C. 20201. Comments received will be available for inspection in Room 5352, North Building, at the above address.

FOR FURTHER INFORMATION CONTACT: John M. Allen, Privacy Act Coordinator, Office of the Inspector General, at the above address or telephone (202) 472-3200.

SUPPLEMENTARY INFORMATION:

The Department of Health, Education and Welfare plans to computerize summaries of investigative data on computer disc storage. We will use the data for management information and indices purposes. We restrict the data to such information as name and address of subjects of investigations, class of

subject, reason for investigation, dates of various phases of investigation, and final outcome of investigations. Currently we maintain all of these data manually in the investigative files. The computerized file will enable HEW criminal investigators to access information more rapidly and effectively.

We enter only summary information on principals of investigations into the computerized portion of the system. We are not automating the entire investigative file, rather only summary information.

The automation of the summary data will have no effect on the number of individuals or categories of individuals contained in the file. The disclosure policies and procedures will remain unchanged. We adhere to all appropriate security provisions and safeguards over the data which is automated as well as the data maintained in the manual files.

Dated: September 28, 1979.

Thomas D. Morris,
Inspector General.

09-90-0003

SYSTEM NAME:

Investigative Files of the Inspector General HEW/OS/OIG.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Inspector General, DHEW, Room 5246, North Bldg., 330 Independence Ave. SW., Washington, D.C. 20201; Office of the Inspector General, DHEW, Room 4044, ROB 3, 7th & D Streets SW., Washington, D.C. 20201.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees, former employees, grantees, contractors, sub-contractors, carriers, State agencies, State employees, providers and recipients under DHEW programs, providers and recipients under State programs funded by the Department and others doing business with the Department.

CATEGORIES OF RECORDS IN THE SYSTEM.

Criminal Investigation Files.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM.

28 U.S.C. 535(b), 18 U.S.C.; P.L. 94-505, Oct. 15, 1976.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

See Appendix B Departmental regulations (45 CFR Part 5b), Items (1), (4), (5).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity, (b) the United States where the Department determines that the claim, if successful is likely to directly affect the operations of the Department or any of its components, or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaining pertinent records, if necessary to obtain a record relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records, which take the form of index cards, investigative reports, computer disc files, and computer printed listings are maintained under secure conditions. Written documents are maintained in security type safes or lock bar file cabinets with manipulation proof combination locks. Computer disc files are on-line in guarded man-trapped dual door combination locked computer rooms.

RETRIEVABILITY:

The records are retrieved by manual or computer search of alphabetical indices or cross-indices. Indices list names of individuals, companies and organizations.

SAFEGUARDS:

Direct access is restricted to authorized staff members of the Office of Inspector General. Access within

DHEW is limited to the Secretary, Under-Secretary, Inspector General and other officials and employees on a need-to-know basis. Intra-agency transfers are made in accordance with the statement of Organization, Functions and Delegations of Authority as set out in a notice concerning the Office of Inspector General (42 F.R. 17531, April 1, 1977). All computer files and printed listings are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HEW ADP Systems Manual, Part 6, "ADP Systems Security". All computer discs are password protected, prohibiting unauthorized access.

RETENTION AND DISPOSAL:

Investigative files are retained for 5 years after completion of the investigation and/or actions based thereon. Index and cross-reference cards are retained permanently. In instances of computer matching of files, only those records which meet predetermined criteria for investigation are maintained. All records which do not meet these criteria are destroyed. All original source computer tapes are returned or destroyed once computer matching has been accomplished.

SYSTEM MANAGER(S) AND ADDRESS:

Inspector General/Deputy Inspector General, Room 5262, North Building, U.S. Department of Health, Education, and Welfare, 330 Independence Avenue S.W., Washington, D.C. 20201.

NOTIFICATION PROCEDURE:

Exempt, however consideration will be given requests addressed to the system manager. For general inquiries include the name and date of birth of the individual.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations [45 CFR, Section 5b.5(a)(2)] Federal Register, October 8, 1975, page 47410.)

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under system manager(s) and address above, and reasonably identify the record and specify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations [45 CFR, Section 5b.7] Federal Register, October 8, 1975, page 47411.)

RECORD SOURCE CATEGORIES:

Departmental and other federal, state and local government records; interviewers of witnesses; documents and other material furnished by non-government sources. Sources may include confidential sources.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

General exemption (j)(2), this system was formerly known as the Investigatory materials compiles for Law Enforcement Purposes system. Pursuant to 45 C.F.R. 5b.11, (b)(2)(i)(B), 40 F.R. 47413 (Oct. 8, 1975) this system is exempt from the following subsections of the Act (c)(3), (d)(1)-(4), (e)(3), and (e)(4)(G)(H).

[FR Doc. 79-31047 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-12-11

National Institute of Education**Teaching and Learning Research Grants Program; Grant Application Notice**

Notice is given that applications are being accepted for grants in the Teaching and Learning Research Grants Program according to the authority contained in Section 405 of the General Education Provisions Act, as amended (20 U.S.C. 1221e).

An individual, a college, university, State department of education, local education agency, other public or private agency, organization or group, or any combination of these is an eligible applicant. Both not-for-profit and profit-making agencies are eligible.

Awards will be made for research which will contribute to improvement of educational practice in the areas of Literacy, Mathematics Learning, Teaching in School Settings, Teaching in Non-School Settings and Methodology, with primary emphasis on research examining how learning and teaching are affected by race, ethnicity, language background, gender and social class.

Applicants should note that a mailed application meets the deadline requirement if it is mailed on or before the closing date and the required proof of mailing is provided as explained in paragraph C below.

Closing Date: 4:30 p.m., January 21, 1980

A. Application and program information: Persons interested in applying for research support under this program must submit a written request for the program announcement to the Program Staff, Teaching and Learning Program, National Institute of Education, 1200 19th Street, NW, Washington, DC 20208. (A self-

addressed mailing label must be provided. Stamped envelopes are not useable.) The program announcement includes the guidelines governing the program, information on the availability of funds, expected number of awards, eligibility and review criteria, and instructions on how to apply. The following program officers may be contacted for additional information:

- Literacy—Ramsey Selden, Tel: (202) 254-5766
- Mathematics Learning—Edvard Esty, Tel: (202) 254-6572
- Teaching in School Settings—Michael Cohen, Tel: (202) 254-7946
- Teaching in Non-School Settings—Thomas Carroll, Tel: (202) 254-6090
- Methodology—Corinne Scott, Tel: (202) 254-6271
- For general information on the competition—Laurence G. Goebel, Tel: (202) 254-6572

B. Estimated distribution of program funds: It is anticipated that approximately \$2.1 million will be available for awards in this competition; however, only projects of the highest technical quality will be supported whether or not the program funds are exhausted. Further, nothing in the announcement will commit the Institute to award any specific amount. Based on prior competitions, it is estimated that 60-70 grants can be awarded, ranging in size from small grants of less than \$15,000 to larger grants with budgets averaging about \$50,000 annually. Small grant requests (\$15,000 or less) are encouraged. Multi-year projects will be approved for a maximum of 36 months. Initial grants will be for 12 months only, with subsequent funding contingent on satisfactory technical performance and the availability of funds. Small grant awards will be limited to 12 months duration.

C. Applications delivered by mail: An application sent by mail must be addressed to the Proposal Clearinghouse, National Institute of Education, Attention: Teaching and Learning Research Grants, Room 813, 1200 19th Street, NW., Washington, DC 20208. Applications will be accepted only if they are mailed on or before the closing date and the following proof of mailing is provided:

Proof of mailing must consist of a legible U.S. Postal Service dated postmark or a legible mail receipt with the date of mailing stamped by the U.S. Postal Service. Private metered postmarks or mail receipts will not be accepted without a legible date stamped by the U.S. Postal Service.

Note.—The U.S. Postal Service does not uniformly provide a dated postmark.

Applicants should check with their local post office before relying on this method.

Applicants are encouraged to use registered or certified mail.

Each late applicant will be notified that the late application will not be considered in the current competition.

D. Applications delivered by hand: An application that is hand-delivered must be taken to the Proposal Clearinghouse, National Institute of Education, Room 813, 1200 19th Street, NW, Washington, DC. The Proposal Clearinghouse will accept hand-delivered applications between 8:00 a.m. and 4:30 p.m. (Washington, DC, time) daily, except Saturdays, Sundays, and Federal holidays. Applications that are hand-delivered will not be accepted after 4:30 p.m., January 21, 1980.

E. Applicable regulations: The regulations applicable to this program are:

(a) The National Institute of Education General Provisions for Research and Development Grants, Administrative and Fiscal Requirements (45 CFR, Parts 1400-1424).

(b) The National Institute of Education Basic Skills Research Grants Program Regulations (45 CFR, Part 1451).

On May 4, 1979, the Education Division of the Department of Health, Education, and Welfare published in the Federal Register, as a notice of proposed rule-making, a revised set of grant regulations called the *Education Division General Administrative Regulations (EDGAR)*. If the EDGAR is published in the Federal Register as a final rule before grants are awarded pursuant to this application notice, then the post-award administration of those grants will be governed by Parts 100a and 100c of the EDGAR, to the extent that the EDGAR is appropriate, as supplemented by the two NIE regulations, cited above, as such regulations would be modified to make them compatible with the EDGAR. The EDGAR will be cited as 45 CFR, Parts 100a, 100b, and 100c. Part 100b is not applicable to grants awarded pursuant to this application notice.

(Catalog of Federal Domestic Assistance Number 13.950, Educational Research and Development)

Dated: October 2, 1979.

Michael Timpane,
Acting Director, National Institute of Education.

[FR Doc. 79-31096 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-30-M

Office of Education**Supplemental Educational Opportunity Grant, College Work-Study, and National Direct Student Loan Programs; Extension of Closing Dates for filing Applications and for Establishing Eligibility**

The Commissioner of Education gives notice that the filing date of October 16, 1979 published in the Federal Register of September 18, 1979, on pages 54127-54128 is extended to October 23, 1979 for

1. An eligible institution of higher education to apply for fiscal year 1980 funds—for use in the 1980-81 award period—under the Supplemental Educational Opportunity Grant (SEOG), College Work-Study (CWS), and National Direct Student Loan (NDSL) programs;

2. An eligible area vocational school to apply for fiscal year 1980 funds—for use in the 1980-81 award period—under the CWS program; and

3. An institution of higher education or an area vocational school to establish institutional eligibility.

No other changes are being made to the notice of September 18. The other two closing dates, all filing procedures, and all other pertinent information remain as published on pages 54127-54128.

(20 U.S.C. 1070b-3, 42 U.S.C. 2756; 20 U.S.C. 1087bb(b))

(Catalog of Federal Domestic Assistance No. 13.418, Supplemental Educational Opportunity Grant Program; 13.463, College Work-Study Program; and 13.471, National Direct Student Loan Program)

Dated: October 5, 1979.

John Ellis,

Executive Deputy Commissioner for Educational Programs.

[FR Doc. 79-31304 Filed 10-5-79; 10:24 am]

BILLING CODE 4110-02-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-79-587]

Attesting Officers

AGENCY: Department of Housing and Urban Development.

ACTION: Redesignation of Authority.

SUMMARY: This Notice redelegates to the Director of the Office of Interstate Land Sales Registration, the Director of the Policy Development and Control Division, Office of Interstate Land Sales Registration and the Chief of the Records Control Branch, Office of Interstate Land Sales Registration, the

authority delegated to the Assistant Secretary for Neighborhoods, Voluntary Associations, and Consumer Protection at 44 FR 31322, (May 31, 1979) to act as an attesting officer, and to cause the seal of the Department of Housing and Urban Development to be affixed to such documents as may require its application and to certify that a copy of any book, record, paper, microfilm, or other document is a true copy of that in the files of the Department.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT:

Roger Henderson, Director, Policy Development and Control Division, Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, Room 4138, Area Code (202) 755-6847, or Viola F. Grubbs, Branch Chief, Records and Control Branch, Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, Room 4130, Area Code (202) 755-7077.

SUPPLEMENTARY INFORMATION: The designation and delegation of authority published at 36 FR 23825 (December 15, 1971), as amended at 37 FR 23468 (November 3, 1972), and further amended at 39 FR 40186 (November 14, 1974) and 43 FR 24144 (June 2, 1978) and 44 FR 31322 (May 31, 1979) lists the employees of the Department of Housing and Urban Development who are designated as attesting officers and who are authorized to cause the seal of the Department of Housing and Urban Development to be affixed to such documents as may require its application and to certify that a copy of any book, record, paper, or other document is a true copy of that in the files of the Department. This notice redelegates to designated officials of the Office of Interstate Land Sales Registration the authority of the Assistant Secretary of Neighborhoods, Voluntary Associations, and Consumer Protection to act as an attesting officer, and to cause the seal of the Department of Housing and Urban Development to be affixed to such documents as may require its application and to certify that a copy of any book, record, paper, microfilm, or other document is a true copy of that in the files of the Department.

Section A. Authority Redelegated. Pursuant to the authority delegated to me at 44 FR 31322 (May 31, 1979) and the authority to redelegate at 44 FR 31322 (May 31, 1979) each of the following employees of the Department of Housing and Urban Development is designated an attesting officer for the Office of Interstate Land Sales Registration and is

authorized to cause the seal of the Department of Housing and Urban Development to be affixed to such documents as may require its application and to certify that a copy of any book, record, paper, microfilm or other document is a true copy of that in the files of the Office of Interstate Land Sales Registration:

1. Director, Office of Interstate Land Sales Registration

2. Director, Policy Development and Control Division, Office of Interstate Land Sales Registration

3. Chief, Records and Control Branch, Office of Interstate Land Sales Registration.

(Sec. 7 (d) and (g), Department of HUD Act, 42 U.S.C. 3535 (d) and (g) and Attesting Officers' Delegation of Authority, 44 FR 31322 (May 31, 1979).)

Issued at Washington, D.C., October 1, 1979.

Richard C. D. Fleming,

General Deputy Assistant Secretary for Neighborhoods, Voluntary Associations, and Consumer Protection.

[FR Doc. 79-31056 Filed 10-5-79; 3:45 am]

BILLING CODE 4210-01-M

[Docket No. D-79-585]

Designation and Delegation of Authority; Acting Supervisor, Des Moines Service Office

AGENCY: Department of Housing and Urban Development

ACTION: Designation of Line of Succession

SUMMARY: Updates the designation of officials who may serve as Acting Supervisor for the Des Moines Service Office. This revision is necessary due to the changes in organizational structure resulting from the reorganization of the Department.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT:

Robert Van Maren, Director, Management and Budget Division, Office of Regional Administration, Kansas City Regional Office, Department of Housing and Urban Development, 911 Walnut, Kansas City, Missouri 64108.

Designation of Acting Supervisor for the Des Moines Service Office.

Each of the officials appointed to the following positions is designated to serve as Acting Supervisor during the absence of or vacancy in the position of the Supervisor, with all the powers, functions and duties redelegated or assigned to the Supervisor: Provided, that no official is authorized to serve as Acting Supervisor unless all officials listed before him/her in this designation

re unavailable to act by reason of absence or vacancy in the position:

1. Deputy Supervisor (Development)
2. Deputy Supervisor (Management)

This delegation supersedes the designation effective July 30, 1975 (40 FR, 31975, July 30, 1975).

This designation shall be effective as of October 9, 1979.

Harry I. Sharrott,

Deputy Regional Administrator, Kansas City Regional Office.

[FR Doc. 79-31080 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

[Docket No. D-79-586]

Microfilming of the Department's Records

AGENCY: Department of Housing and Urban Development

ACTION: Redelegation of Authority

SUMMARY: This Notice designates those officials who are authorized to have books, documents, papers, and all other departmental records of the Office of Interstate Land Sales Registration microfilmed in the regular course of business.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: Roger Henderson, Dir. Policy Dev. and Control Div., Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, Room 4136, Area Code (202) 755-6847, or Viola F. Grubbs, Branch Chief, Records and Control Branch, Office of Interstate Land Sales Registration, U.S. Department of Housing and Urban Development, Room 4130, Area Code (202) 755-7077

SUPPLEMENTARY INFORMATION: This redelegation lists the employees of the Department of Housing and Urban Development who are authorized to have the books, documents, papers, and all other records of the Office of Interstate Land Sales Registration placed on microfilm in the regular course of business for the preservation and storage of such records. The microfilming is to be done in accordance with the procedures prescribed by section 3303a of the Public Printing and Documents Act, Pub. L. 90-620, 44 U.S.C. 3301, et seq., and the standards promulgated by the Administrator of General Services under section 3302 of the Public Printing and Documents Act set forth at 41 CFR 101-11.5.

Section A. Authority Redelegated. The officials listed below are authorized to exercise the power and authority delegated to the Assistant Secretary for Neighborhoods, Voluntary Associations

and Consumer Protection at 44 FR 31323, (May 31, 1979), to have the books, documents, papers and all other records of the Office of Interstate Land Sales Registration placed on microfilm in the regular course of business for the preservation and storage of such records, in accordance with the procedures prescribed by section 3303a of the Public Printing and Documents Act, Pub. L. 90-620, 44 U.S.C. 3301, et seq., and the standards promulgated by the Administrator of General Services under section 3302 of the Public Printing and Documents Act as set forth at 41 CFR 101-11.5:

1. Deputy Assistant Secretary for Regulatory Functions and Interstate Land Sales Administrator.
2. Director, Office of Interstate Land Sales Registration.
3. Director, Policy Development and Control Division, Office of Interstate Land Sales Registration.
4. Chief, Records and Control Branch, Office of Interstate Land Sales Registration.

(Sec. 7(a) and (d) Department of HUD Act, 42 U.S.C. 3535(a) and (d) and the Delegation of Authority to Assistant Secretary for Neighborhoods, Voluntary Associations, and Consumer Protection at 44 FR 31323, May 31, 1979.)

Issued at Washington, D.C., October 1, 1979.

Richard C. D. Fleming,

General Deputy Assistant Secretary for Neighborhoods, Voluntary Associations, and Consumer Protection.

[FR Doc. 79-31058 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

[Docket No. D-79-583]

Office of the Service Office Supervisor, Shreveport Service Office; Designation of Line of Succession

AGENCY: Department of Housing and Urban Development.

ACTION: Designation of Line of Succession.

SUMMARY: The Service Office Supervisor is designating officials who may serve as Acting Service Office Supervisor during the absence of, or vacancy in the position of, the Service Office Supervisor.

EFFECTIVE DATE: October 9, 1979.

SUPPLEMENTARY INFORMATION: Each of the officials appointed to the following positions is designated to serve as Acting Service Office Supervisor during the absence of, or vacancy in the position of, the Service Office Supervisor, with all the powers, functions, and duties redelegated or assigned to the Service Office

Supervisor; provided that no official is authorized to serve as Acting Service Office Supervisor unless all officials before him in this designation are unavailable to act by reason of absence or vacancy in the position:

1. Deputy Service Office Supervisor
2. George R. Graves, Chief, Mortgage Credit Branch

Bruno T. Lohrmann,

Acting Area Manager, New Orleans Area Office, Region VI (Ft. Worth).

Walter G. Sevier,

Deputy Regional Administrator, Region VI (Ft. Worth).

[FR Doc. 79-31059 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

[Docket No. N-79-951]

Low-Income Public Housing Certification of Housing Managers; List of Approved Certifying Organizations

AGENCY: Department of Housing and Urban Development (HUD).

ACTION: Notice is hereby given that the following organizations have been accredited by HUD as Approved Certifying Organizations for the purpose of providing certification of Housing Managers and Assistant Housing Managers of low-income public housing in accordance with 24 CFR Part 867:

1. Institute of Real Estate Management, 430 North Michigan Avenue, Chicago, Illinois 60611.
2. National association of Housing and Redevelopment Officials, 2600 Virginia Avenue, N.W., Washington, D.C. 20037.
3. National Center for Housing Management, 1133 Fifteenth Street, N.W., Washington, D.C. 20005.

Further information about each of these organizations' certification requirements, procedures and fees may be obtained by writing *directly* to the organization. Requirements, procedures and fees vary among the three organizations so that a full comparison will require information from all three. Such inquiries should not be addressed to HUD. Issued at Washington, D.C., October 1, 1979.

Lawrence B. Simons,

Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc. 79-31055 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-L

DEPARTMENT OF THE INTERIOR**Bureau of Land Management****Coal Resource Minimum Acceptable Bids**

AGENCY: Office of Coal Leasing, Planning, and Coordination, Land Management Bureau, Interior.

ACTION: Public Meeting on Coal Resource Minimum Acceptable Bids—Notice and Agenda for Meeting.

SUMMARY: The Office of Coal Leasing, Planning, and Coordination; the Office of Policy Analysis; the Geological Survey; and the Bureau of Land Management, Department of the Interior, will hold a public meeting to acquaint elected officials, the coal industry, and the public on investigations into the policy and procedural basis for determining minimum acceptable bids for Federal coal leases for the new Federal coal management program. The meeting is part of the effort by the Department's fair market value task force to develop and recommend final policy and procedures on this topic.

DATE: The meeting is scheduled to be held at 9:00 a.m., November 1, 1979, in Denver, Colorado. The meeting will be at Holiday Inn Downtown, 15th and Glenarm Streets.

ADDRESS: Any suggestions, remarks or further inquiry should be sent to Charles Wm. Rech, Acting Director, Office of Coal Leasing, Planning, and Coordination, U.S. Department of the Interior, Room 3411, 18th & C Street, N.W., Washington, D.C. 20240. To obtain additional information, and to secure a place on the list for those interested in commenting, contact: in Washington, D.C., Charles L. Towle on (202) 343-2151; and in Denver, Colorado, John A. Pederson on (303) 234-2855.

SUPPLEMENTARY INFORMATION: This meeting is intended to inform those persons and organizations who are concerned with and require information about minimum acceptable bid procedures that might be used to calculate coal resource value for coal resources being leased or exchanged under the Federal coal management program. The new program was implemented by Secretary of the Interior, Cecil D. Andrus, on June 4, 1979. As part of his June decision, the Secretary directed that, "... (the fair market value) task force should continue its studies ... in order to develop a consensus on implementation of the recommendations before remanding to the appropriate office and bureaus for implementation." The meeting will

consist of three parts: (1) presentations by specialists from the Department of the Interior; (2) discussion of issues by an outside panel of experts; and (3) remarks from the public. Topics shall include identification of candidate procedures, methodologies, and data categories. Participation by the public is earnestly solicited. Written and oral comments will be accepted.

Charles Wm. Rech,

Acting Director, Office of Coal Leasing, Planning, and Coordination.

[FR Doc. 79-31100 Filed 10-5-79; 8:45 am]

BILLING CODE 4310-84-M

Heritage Conservation and Recreation Service**National Register of Historic Places; Notification of Pending Nominations**

Nominations for the following properties being considered for listing in the National Register were received by the Heritage Conservation and Recreation Service before September 28, 1979. Pursuant to § 60.13 of 36 CFR Part 60, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, DC 20243. Written comments or a request for additional time to prepare comments should be submitted by October 19, 1979.

Carol Shull,

Acting Chief, Registration Branch.

ALABAMA*Jefferson County*

Birmingham, *Alabama Theatre*, 1811 3rd Ave., North

ARKANSAS*Washington County*

Fayetteville, *Vest, John S., House*, 21 N. West St.

CALIFORNIA*Los Angeles County*

Pasadena, *Hotel Green*, 99 S. Raymond Ave.

Santa Clara County

San Jose, *St. James Square Historic District*, Roughly bounded by N. 1st, N. 4th, E. St. James and E. St. John Sts.

COLORADO*Denver County*

Denver, *Denver Athletic Club*, 1325 Glenarm Pl.

Denver, *Schlessinger House*, 1544 Race St.

Denver, *Shorthorn Building*, 2257 Larimer St.

Denver, *Zang, Adolph J., House*, 1532 Emerson St.

Pueblo County

Pueblo, *Central High School*, 431 E. Pitkin Ave.

Pueblo, *First Methodist Episcopal Church*, South, 400 Broadway St.

DELAWARE

EARLY SUSSEX COUNTY COASTAL PLANTATION HOUSES THEMATIC RESOURCES. Reference—see individual listings under Sussex County.

Sussex County

Georgetown, *Brick Hotel*, The Circle.

Georgetown, *Judge's House and Law Office*, 100 and 104 W. Market St.

Georgetown, *St. Paul's Episcopal Church*, E. Pine St.

Georgetown, *Wright, Gardiner, Mansion*, 228 S. Front St.

Georgetown vicinity, *Gyles, Stella Pepper, House*, SW of Georgetown.

Georgetown vicinity, *Redden Forest Lodge, Forester's House and Stable*, NW of Georgetown in Redden State Forest.

Lewes vicinity, *White, Benjamin, House (Early Sussex County Coastal Plantation Houses Thematic Resources)*.

Milton vicinity, *Draper House (Early Sussex County Coastal Plantation Houses Thematic Resources)*.

Milton vicinity, *Hopkins House (Early Sussex County Coastal Plantation Houses Thematic Resources)*.

FLORIDA*Alachua County*

Gainesville, *Northeast Gainesville Residential District*, Roughly bounded by 1st and 9th Sts., 10th and E. University Aves.

HAWAII*Honolulu County*

Waipahu vicinity, *Wakamiya Inari Shrine*, Waipahu Cultural Garden.

INDIANA*Elkhart County*

Elkhart, *Bickel, Emmanuel C., House*, 614 Bower St.

Wabash County

North Manchester, *Noftzger-Adams House*, 102 E. 3rd St.

MONTANA*Mineral County*

DeBorgia, *DeBorgia Schoolhouse*, Thompson Falls DeBorgia Rd.

Pondera County

Conrad, *Conrad City Hall*, 15 4th Ave., SW.

NEW HAMPSHIRE*Hillsborough County*

Milford, *Peabody, William, House*, N. River Rd.

Rockingham County

Northwood, *Northwood Congregational Church*, U.S. 4.

Portsmouth, *Larkin-Rice House*, 180 Middle St.

Strafford County

Somersworth, *Great Falls Manufacturing Company*, 161-169 Main St.

NORTH CAROLINA

FACULTY AVENUE HOUSES THEMATIC RESOURCES. Reference—see individual listings under Durham County.

Durham County

Durham, *Basset House (Faculty Avenue Houses Thematic Resources)* 1017 W. Trinity Ave.

Durham, *Cranford-Wannamaker House (Faculty Avenue Houses Thematic Resources)* 1019 W. Trinity Ave.

Durham, *Crowell House (Faculty Avenue Houses Thematic Resources)* 504 Watts St.

Durham, *Pegram House (Faculty Avenue Houses Thematic Resources)* 1019 Minerva Ave.

Granville County

Stoval vicinity, *Abrams Plains*, NW of Stoval.

OHIO**Hamilton County**

Cincinnati, *West Fourth Street Historic District*, Roughly bounded by Central Ave., 5th, 3rd., and Plum Sts. (boundary increase).

PENNSYLVANIA

COVERED BRIDGES OF COLUMBIA AND MONTOUR COUNTIES THEMATIC RESOURCES. Reference—see individual listings under Columbia and Montour Counties.

Allegheny County

Bridgeville vicinity, *Gilfillan Farm*, 1950 Washington Rd.

Berks County

Hamburg vicinity, *Schaumbach's Tavern*, NW of Hamburg on Hawk Mountain Rd.
Reading, *Log House, Hiester House, and Market Annex*, 30 S. 4th St.

Chester County

Charlestown vicinity, *Davis-Coffman Farm and Mill Site*, E of Charlestown on Pickering Dam Rd.

Columbia County

Catawissa vicinity, *Davis Covered Bridge (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 371.

Catawissa vicinity, *Hollingshead Covered Bridge No. 40 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 405.

Catawissa vicinity, *Johnson Covered Bridge No. 28 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 320.

Catawissa vicinity, *Riegel Covered Bridge No. 6 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 312.

Catawissa vicinity, *Rohrbach Covered Bridge No. 24 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 369.

Central vicinity, *Y Covered Bridge No. 156 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 757.

Esther vicinity, *Furnace Covered Bridge No. 11 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 373.

Fernville vicinity, *Wanich Covered Bridge No. 69 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* Off PA 42.

Forks vicinity, *Josiah Hess Covered Bridge No. 122 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 563.

Forks vicinity, *Twin Bridges-East Paden Covered Bridge No. 120 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* Off PA 487.

Forks vicinity, *Twin Bridges-West Paden Covered Bridge No. 121 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* Off PA 487.

Fowlersville vicinity, *Fowlersville Covered Bridge (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 19039.

Grassmere Park vicinity, *Welle Hess Covered Bridge No. S1 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 19074.

Iola vicinity, *Shoemaker Covered Bridge (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 19053.

Millville vicinity, *Creasyville Covered Bridge (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 683.

Millville vicinity, *Eckman, Sam, Covered Bridge No. 92 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 548.

Millville vicinity, *Jud Christie Covered Bridge No. 95 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 685.

Newlin vicinity, *Wagner Covered Bridge No. 19 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 468.

Orangeville vicinity, *Patterson Covered Bridge No. 112 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 575.

Parr's Mill, *Parr's Mill Covered Bridge No. 10 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 371.

Rohrsburg vicinity, *Kramer Covered Bridge No. 113 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 572.

Rupert, *Rupert Covered Bridge No. 56 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 449.

Slabtown vicinity, *Snyder Covered Bridge No. 17 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 361.

Stillwater, *Stillwater Covered Bridge No. 134 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 629.

Franklin County

Mercersburg vicinity, *Angle Farm*, SE of Mercersburg.

Mercersburg vicinity, *Work, Col. John, House, SE of Mercersburg.*

Montour County

Washingtonville vicinity, *Keefer Covered Bridge No. 7 (Covered Bridges of Columbia and Montour Counties Thematic Resources)* SR 346.

Philadelphia County

Philadelphia, *Bishop Mackay-Smith House*, 251 S. 22nd St.

Philadelphia, *Mask and Wig Club of the University of Pennsylvania*, 310 S. Quince St.

Philadelphia, *Stewart, John, Houses*, 1020-1028 Spruce St.

TENNESSEE**Bedford County**

Shelbyville, *Bivvins House*, Off U.S. 41.

Giles County

Pulaski, *Brown-Daly-Horne House*, 307 W. Madison St.

Hamilton County

Chattanooga, *Gaskill House (Mahoney-Clarke House)* 427 E. 5th St.

Putnam County

Algood, *Algood Methodist Church*, 158 Wall St.

Sequatchie County

Dunlap, *Sequatchie County Courthouse*, Cherry St.

VERMONT**Bennington County**

Center Shaftsbury vicinity, *Galusha, Gov. Jonas, Homestead*, U.S. 7

Windham County

Athens, *Old Brick Church*, Off VT 35

WEST VIRGINIA**Grant County**

Petersburg, *Grant County Courthouse*, Virginia Ave.

[FR Doc. 79-30247 Filed 10-5-79; 8:45 am]

BILLING CODE 4310-02-13

Office of Surface Mining Reclamation and Enforcement

Determination of Completeness for Permanent Program Submission From the State of Mississippi

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), U.S. Department of the Interior.

ACTION: Notice of Determination of Completeness of Submission.

SUMMARY: On August 2, 1979, the State of Mississippi submitted to OSM its proposed permanent regulatory program under the Surface Mining Control and

Reclamation Act of 1977 (SMCRA). This notice announces the Regional Director's determination as to whether the Mississippi program submission contains each required element specified in the permanent regulatory program regulations. The Regional Director has concluded his review and has determined the Mississippi submission is incomplete.

ADDRESSES: Written comments on the Mississippi program and a summary of the public meeting are available for public review, 8 a.m.-4 p.m., Monday through Friday, excluding holidays, at: Office of Surface Mining Reclamation and Enforcement Region II, 5th Floor, Farragut Building, 530 Gay Street, SW., Suite 500, Knoxville, Tennessee 37902.

Copies of the full text of the proposed Mississippi program are available for review during regular business hours at the OSM Regional Office above and at the following office of the State regulatory authority:

Bureau of Geology and Energy Resources
(Formerly-Geological, Economic and Topographical Survey), 2525 N. West Street, Jackson, Mississippi 39216.

FOR FURTHER INFORMATION CONTACT:

Mr. John T. Davis, Assistant Regional Director, Office of Surface Mining, 530 Gay Street, S.W., Suite 500, Knoxville, Tennessee 37902, Telephone: (615) 637-8080.

SUPPLEMENTARY INFORMATION: On August 2, 1979, OSM received a proposed permanent regulatory program from the State of Mississippi. Pursuant to the provisions of 30 CFR Part 732, "Procedures and Criteria for Approval or Disapproval of State Program Submissions" (44 FR 15326-15328, March 13, 1979), the Regional Director, Region II, published notification of receipt of the Mississippi submission in the Federal Register of August 10, 1979, (44 FR 47173-47174) and in the following newspapers of general circulation within the State:

Jackson Clarion Ledger.
Meridian Star.
The Commercial Appeal (Memphis).

The August 10, 1979, notice set forth information concerning public participation pursuant to 30 CFR 732.11. This information included a summary of the Mississippi submission, announcement of a public review meeting on September 18, 1979, in Grenada, Mississippi, to discuss the submission and its completeness, and announcement of a public comment period until September 18, 1979, for members of the public to submit written comments relating to the program and its completeness. Further information may be found in the permanent

regulatory program regulations and Federal Register notice referenced above.

This notice is published pursuant to 30 CFR 732.11(b) and constitutes the Regional Director's decision on the completeness of the Mississippi program. Having considered public comments, testimony presented at the public review meeting and all other relevant information, the Regional Director has determined that Mississippi submission does not fulfill the content requirements for program submissions under 30 CFR 731.14 and is, therefore, incomplete.

In accordance with 30 CFR 732.11(c), the following required elements are missing from the proposed Mississippi permanent regulatory program:

1. The Mississippi Program Submission does not contain specific information regarding the permit review process as required by § 731.14(g)(1) of 30 CFR Chapter VII. Lacking are flow charts or other documentation descriptive of discretionary options available to the state.

2. The Mississippi Program Submission does not describe how the permit fee will be collected, methods for determining the amount of the fee or methods for determining the anticipated cost of reviewing the permit application as required by § 731.14(g)(2) of 30 CFR Chapter VII.

3. The Mississippi Program Submission contains no projected organizational structure or estimated number of employees at the beginning of significant inspection and enforcement activities as required by § 731.14(g)(4)(5) and (j) of 30 CFR Chapter VII.

4. There is no counterpart in the Mississippi Program Submission corresponding to §§ 842.12, 842.14 or 842.15 (citizen participation in inspections) of 30 CFR Chapter VII as required by § 731.14(g)(14) of 30 CFR Chapter VII.

5. The Mississippi Program Submission does not address the matter of staff qualifications as required by § 731.14(i) of 30 CFR Chapter VII.

6. The Mississippi Program Submission is incomplete in that the budget shows only total operating expenses for Geological Survey and does not separate coal mining related expenses as required by § 731.14(1) of 30 CFR Chapter VII. An itemized projection should be made for coal mining related expenses for the first year in which extensive regulatory activity is anticipated.

7. The Mississippi Program Submission contains no information regarding projected physical resource

needs as required by § 731.14(m) of 30 CFR Chapter VII.

Mississippi may submit appropriate additions to remedy the incomplete elements identified by the completeness review and any other modifications in the proposed Mississippi program until November 15, 1979. If the State fails to supply these missing elements by that deadline, its program will be initially disapproved by the Secretary as set forth in 30 CFR 732.11(d). The Regional Director's determination that the proposed program is complete with respect to the remaining elements required by 30 CFR 731.14 does not mean that those elements are substantively adequate.

No later than November 20, 1979, the Regional Director will publish a notice in the Federal Register and in the following newspapers of general circulation initiating substantive review of the Mississippi submission:

Jackson Clarion Ledger.
Meridian Star.
The Commercial Appeal (Memphis).

This review will include a formal public hearing and written comment period. Procedures will be detailed in that notice. Further information concerning how that substantive review will be conducted may be found in 30 CFR 732.12.

The Office of Surface Mining is not preparing an environmental impact statement with respect to the Mississippi regulatory program, in accordance with section 702(d) of SMCRA (30 U.S.C. Sec. 1292(d)) which states that approval of State programs shall not constitute a major action within the meaning of section 102(2)(C) of the National Environmental Policy Act.

Dated: October 1, 1979.

W. H. Tipton,
Acting Regional Director.

[FR Doc. 79-31109 Filed 10-5-79; 8:45 am]
BILLING CODE 4310-05-M

Office of the Secretary

National Monuments, Preserves, and Primitive Areas; Review for Class I Redesignation Recommendation; Extension of Comment Period

Section 164(d) of the Clean Air Act (Part C, The Prevention of Significant Deterioration) directs the Secretary of the Interior to "review all national monuments, primitive areas, and national preserves" and to "recommend any appropriate areas for redesignation where air quality related values are important attributes of the area". The

Act requires the Secretary to report his recommendations, with supporting analysis, to the Congress and to the effected States and Indian governing bodies. The States and Indian governing bodies, at this time, have the sole authority to undertake redesignation. Accordingly, a Task Force was established for the purpose of accomplishing this review, and a proposed study methodology was published in the April 10, 1978 Federal Register.

The Task Force has now completed its study. A Notice discussing the Task Force findings and the procedure used to reach those findings, a report on the consultation carried on with the States and affected Indian tribes, a request for additional information on the possible effects of redesignation upon planned industrial development, and a request for public comment was published in the September 7, 1979 Federal Register (44 FR 52582). Comments on the Task Force report are being solicited by October 9, 1979.

In order to respond to requests from the States and the public, the Department of the Interior is extending the comment period from October 9 to November 9, 1979. Written comments should be addressed to the Secretary of the Interior, ATTN: National Park Service, Air and Water Resource Division (492), Interior Building, 18th and C Streets NW., Washington, D.C. 20240. Phone inquiries can be directed to Toni Ristau, Environmental Engineer, National Park Service, Air Quality Program, (202) 343-4911.

Dated: October 1, 1979.

Robert L. Herbst,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 79-31298 Filed 10-5-79; 10:03 am]
BILLING CODE 4310-10-M

Shoshone District, Idaho; Snake River Rim Area Off-Road Vehicle Use Designations

October 10, 1979.

Notice is hereby given that a decision regarding off-road vehicle use designations for the Snake River Rim Area has been made pursuant to the provisions of 43 CFR 8342.1, 8342.2, and 8343.3. The decision will become effective on November 8, 1979 unless an appeal of the decision is made pursuant to the provisions of 43 CFR Parts 4 and 1840.

The off-road vehicle use designation decision will apply to the 4950 acres of contiguous public land south of Interstate 80N, east of U.S. Highway 93, and north of the Snake River in Jerome

County, Idaho. The decision is that 470 acres of public land located in the Devils Corral and Vineyard Lake area is designated as Closed Areas and Trails where the use of off-road vehicles is permanently prohibited, and that the remaining 4450 acres of public land is designated as Open Areas and Trails where off-road vehicles may be operated subject to the operating regulations and vehicle standards set forth in 43 CFR Parts 8341 and 8343.

Maps and additional information regarding the designations decision can be obtained from the Shoshone District Office, Bureau of Land Management, Idaho.

Charles J. Haszler,
District Manager.

[FR Doc. 79-31126 Filed 10-5-79; 8:45 am]
BILLING CODE 4310-34-M

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Order No. 854-79]

Redesignation of McNeil Island, Wash., as a Federal Prison Camp

AGENCY: Department of Justice.

ACTION: Notice.

SUMMARY: Attorney General Order No. 646-76 (41 FR 14805) classifies and lists the various Bureau of Prisons institutions. Orders No. 649-76 (41 FR 19233) and No. 842-79 (44 FR 44629) amended the list published by Order No. 646-76. This Order further amends the list by redesignating and institution. EFFECTIVE DATE: September 26, 1979.

FOR FURTHER INFORMATION CONTACT: Ira B. Kirschbaum, Assistant General Counsel, Bureau of Prisons, U.S. Department of Justice, HOLC Building, 320 First Street, NW., Washington, D.C. 20534 (202-724-3062).

By virtue of the authority vested in me by sections 4003, 4042, 4081, and 4082 of Title 18, United States Code, Attorney General Order No. 646-76 as amended, is further amended as follows:

Subparagraphs A and C of Section 1 of Order No. 646-76 are amended to delete McNeil Island, Washington, from the list of United States Penitentiaries and add it to the list of Federal Prison Camps:

"A. The Bureau of Prisons facilities at the following locations are designated as U.S. Penitentiaries:

* * * * *

(5) Terre Haute, Indiana.

C. The Bureau of Prisons facilities at the following locations are designated as Federal Prison Camps:

* * * * *

(7) McNeil Island, Washington.

Dated: September 26, 1979.

Benjamin R. Civiletti,
Attorney General.

[FR Doc. 79-31134 Filed 10-5-79; 8:35 am]
BILLING CODE 4410-01-1

Drug Enforcement Administration

[Docket No. 79-12]

A G Pharmacy, Inc. d.b.a. Eerson Pharmacy, Hartford, Connecticut; Hearing

Notice is hereby given that the location of the hearing in this matter, which is scheduled to commence at 9:30 a.m. on Friday, October 12, 1979, and notice of which was published at 44 FR 53113 (September 12, 1979), has been changed. This hearing will now be held in Courtroom No. 8, 2nd Floor, Hall of Justice, 50 State Street, Springfield, Massachusetts. The date and time remain the same.

Dated: October 2, 1979.

Peter B. Bensinger,
Administrator, Drug Enforcement Administration.

[FR Doc. 79-31216 Filed 10-5-79; 8:45 am]
BILLING CODE 4410-09-11

Law Enforcement Assistance Administration

National Minority Advisory Council on Criminal Justice; Hearing

This is to provide notice of a Public Hearing by the National Minority Advisory Council on Criminal Justice (NM ACCJ), LEAA.

The National Minority Advisory Council will hold a public hearing on October 20, 1979. The hearing will be held at the Disneyland Hotel, 1150 West Cerritos Avenue, Anaheim, California. The hearing is scheduled to run from 9:00 a.m. until 1:00 p.m. on the 20th of October. This hearing will focus on the resurgence of collective violence and harassment as they impact on the minority community with a view toward the development of appropriate recommendations and responses that will assist criminal justice agencies as they attempt to deal with these problems. The hearing is open to the public.

Anyone wishing additional information should contact Ms. Peggy Triplett, Project Monitor, 633 Indiana

Avenue NW., Washington, D.C. 20531.

Telephone Number (202) 724-5333.

Peggy E. Triplett,

Project Monitor, National Minority Advisory Council on Criminal Justice.

[FR Doc. 79-31094 Filed 10-5-79; 3:45 am]

BILLING CODE 4410-18-M

DEPARTMENT OF LABOR

Employment and Training Administration

Employment Transfer and Business Competition Determinations Under the Rural Development Act; Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local

area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: Administrator, Employment and Training Administration, 601 D Street, NW., Washington, D.C. 20013.

Signed at Washington, D.C., this 4th day of October 1979.

Earl T. Klein,

Director, Office of Program Services.

Applications Received During the Week Ending October 6, 1979

Name of applicant and location of enterprise	Principal product or activity
Standard Metals Corporation, Silverton, Colorado.	Mining ore from which lead, zinc, and gold concentrates are derived.
L. M. Brinkley & Sons, Ahsoskie, North Carolina.	Hotel.
Berry Rental Equipment, Inc., Brazoria and Fort Bend County, Texas.	Rental & service of heavy equipment.

[FR Doc. 79-31209 Filed 10-5-79; 3:45 am]

BILLING CODE 4510-30-M

Occupational Safety and Health Administration

Maryland State Standards; Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called the Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant

Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On July 5, 1973, notice was published in the Federal Register (38 FR 17834) of the approval of the Maryland State Plan and the adoption of Subpart O to Part 1952 containing the decision.

The Maryland State plan provides for the adoption of Federal standards as State standards after public hearing. Section 1952.213 of Subpart O sets forth the State's schedule for the adoption of Federal standards. By letter dated May 24, 1979 from Commissioner Harvey A. Epstein, Maryland Division of Labor and Industry to David H. Rhone, Regional Administrator and incorporated as part of the plan, the State submitted amended State standards comparable to (1) those sections of 29 CFR Part 1910 for General Industry Safety and Health Standards revoked or amended in the Federal Register (43 FR 49744-49751) dated October 24, 1978, as corrected in Federal Register (43 FR 51759-51760) dated November 7, 1978; (2) and revocation or amendments to Special Industry Safety and Health Standards pertaining to 29 CFR 1910.214 (cooperage and machinery), .263 (bakery equipment), and .264 (laundry and machinery and operations) as contained in Federal Register (43 FR 49764-49767) dated October 24, 1978, as corrected in Federal Register (43 FR 51760) dated November 7, 1978.

These standards which are contained in COMAR 09.12.31 Maryland Occupational Safety and Health Standards, were promulgated after public hearings held February 7 and April 11, 1979 pursuant to Article 41, § 25F(e), annotated Code of Maryland.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards and accordingly should be approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, 3535 Market Street, Suite 2100, Philadelphia, Pennsylvania 19104; Office of the Commissioner of Labor and Industry, 203 East Baltimore Avenue, Baltimore, Maryland 21202; and the Technical Data Center, Room N2439R, Third Street and Constitution Avenue, NW, Washington, D.C. 20210.

4. *Public participation.* Under 29 CFR 1953.2(c), the Assistant Secretary may

prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Maryland State Plan as a proposed change and making the Regional Administrator's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards which were promulgated in accordance with Federal law including meeting requirements for public participation.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective October 9, 1979. (Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Philadelphia, Pennsylvania this 16th of July 1979.

David H. Rhone,
Regional Administrator.

[FR Doc. 79-31090 Filed 10-5-79; 8:45 am]
BILLING CODE 4510-26-M

Office of the Secretary

Amoruso Dress Co., et al.; Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to section 221(a) of the act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in

accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 19, 1979.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 19, 1979.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 2nd day of October 1979.

Harold A. Bratt,
Acting Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Amoruso Dress Co. (workers).....	Brooklyn, N.Y.....	9/27/79	9/22/79	TA-W-6,135	Women's dresses and suits.
Anaconda Industries, Brass Division (USWA).....	Kenosha, Wis.....	9/27/79	9/21/79	TA-W-6,136	Copper sheets and brass tubes.
Ancur Textile Printing Corp. (ACTWU).....	East Newark, N.J.....	9/27/79	9/19/79	TA-W-6,137	Screen printed fabrics.
Consolidation Coal Co., Rowland Division (UMWA).....	Beckley, W. Va.....	9/27/79	9/18/79	TA-W-6,138	Mining of coal.
Humboldt Dye Works (company).....	Brooklyn, N.Y.....	9/4/79	8/24/79	TA-W-6,139	Dyeing of yarn.
Jamp Manufacturing, Inc. (company).....	Plainfield, N.J.....	9/27/79	9/12/79	TA-W-6,140	Children's clothes.
Joey Dress Co. (workers).....	Weaver, Ala.....	9/27/79	9/20/79	TA-W-6,141	Ladies' sportwear, dresses, shirts.
Robinson Phillips Coal Company, Alpine Mine No. 1 (UMWA).....	Marianna, W. Va.....	8/27/79	8/23/79	TA-W-6,142	Mining of coal.
Robinson Phillips Coal Company, Alpine Mine No. 2 (UMWA).....	Marianna, W. Va.....	8/27/79	8/23/79	TA-W-6,143	Mining of coal.
Robinson Phillips Coal Company, Preparation Plant (UMWA).....	Marianna, W. Va.....	8/27/79	8/23/79	TA-W-6,144	Cleaning of coal.
Tenna, Incorporated (company).....	Caguas, P.R.....	8/1/79	7/24/79	TA-W-6,145	AM/FM, CB, AM/FM, CB electric antenna.
Vermont Heel Co., Inc. (workers).....	White River Junction, Vt.....	9/27/79	9/20/79	TA-W-6,146	Women's, men's and childrens' wooden clogs, wooden wedges and wooden heels.
Weyerhaeuser Co., Raymond Shake Mill (I.W.A.).....	Raymond, Wash.....	9/27/79	9/18/79	TA-W-6,147	Cedar shakes for roofs.

[FR Doc. 79-31091 Filed 10-5-79; 8:45 am]
BILLING CODE 4510-28-M

Amy Ann, Inc., et al., Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the

Secretary of Labor under section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to

section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision

thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the

date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 19, 1979.

Interested persons are invited to submit written comments regarding the

subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 19, 1979.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 1st day of October 1979.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or (former workers of—)	Location	Date received	Date of petition	Petition No.	Articles produced
Amy Ann, Inc. (ILGWU)	Tremont, Pa.	9/24/79	9/17/79	TA-W-6,119	Contractor of dresses.
Arlo Knitwear Corp. (workers)	Brooklyn, N.Y.	9/24/79	9/20/79	TA-W-6,120	Ladies' knit sweaters.
Bentley Shoe, Inc. (workers)	Bangor, Maine	9/24/79	9/17/79	TA-W-6,121	Men's dress and casual shoes.
Detroit Steel Products (company)	Detroit, Mich.	9/26/79	9/18/79	TA-W-6,122	Multileaf springs.
Eastern Plastics of Maine, Inc. (ACTAWU)	Sanford, Maine	9/18/79	9/10/79	TA-W-6,123	Plastic heels and soles.
First Place Junior, Inc. (Amalgamated Ladies' Garment Cutters Union, ILGWU)	New York, N.Y.	9/18/79	9/6/79	TA-W-6,124	Ladies' dresses and ladies' sportswear.
Jody Juniors (Amalgamated Ladies' Garment Cutters Union ILGWU)	New York, N.Y.	9/18/79	9/6/79	TA-W-6,125	Ladies' dresses and ladies' sportswear.
King Powellton Mining, Inc. (workers)	Hanford, W. Va.	9/26/79	9/6/79	TA-W-6,126	Metallurgical coal.
National Standard Co. (USWA)	Columbiana, Ala.	9/24/79	9/1/79	TA-W-6,127	Bead wire and tire cord and hose.
National Standard Co. (USWA)	Childersburg, Ala.	9/24/79	9/1/79	TA-W-6,128	Bead wire and tire cord and hose.
Prestige Shoe Corp. (workers)	Wilde-Barre, Pa.	9/24/79	9/17/79	TA-W-6,129	Women's shoes.
Samco Sportswear, Inc. (ACTWU)	St. Paul, Minn.	9/24/79	9/20/79	TA-W-6,130	Thermal insulated underwear, ski jackets and ski pants.
Samco Manufacturing of Crosby, Inc. (Crosby, Minn. (ACTWU))	Crosby, Minn.	9/24/79	9/20/79	TA-W-6,131	Snowmobile suits, hunting clothing—men and women.
U.S. Steel Corp., Fairfield Works of Eastern Steel Division (USWA)	Fairfield, Ala.	9/24/79	9/1/79	TA-W-6,132	Carbon steel plate, structural and wire products.
U.S. Steel Corp., Fairfield Works of Eastern Steel Division (USWA)	Bessemer, Ala.	9/24/79	9/1/79	TA-W-6,133	Carbon steel plate, structural and wire products.
York Heel of Maine, Inc. (workers)	Sanford, Maine	9/13/79	9/6/79	TA-W-6,134	Bottoms for shoes.

[FR Doc. 79-31092 Filed 10-5-79; 8:45 am]

BILLING CODE 4510-28-M

LIBRARY OF CONGRESS

Copyright Office

[Docket No. PB 79-3]

Report by the Register of Copyrights on Voluntary Licenses for the Use of Nondramatic Literary Works by Noncommercial Broadcasters; Public Hearing

AGENCY: Library of Congress, Copyright Office.

ACTION: Notice of public hearing.

SUMMARY: The Copyright Office of the Library of Congress is preparing a report to Congress under section 118(e)(2) of Pub. L. 94-553 (90 Stat. 2541), the Copyright Act of 1976, pertaining to voluntary licenses for the use of nondramatic literary works by

noncommercial broadcasters. This notice announces and invites participation in a one-day public hearing intended to elicit views, comments, and information from interested members of the public which will assist the Copyright Office in formulating a report, and making legislative recommendations, if any.

DATE: The hearing will be held in Arlington, Virginia on November 7, 1979, commencing at 10:00 a.m.

Members of the public desiring to testify should submit written requests to present testimony before October 31, 1979 to the address set forth below.

Ten copies of written statements must be received by the Copyright Office by 4 p.m. on October 31, 1979.

Supplemental statements will be entered into the record until December 3, 1979. Ten copies of all comments should be submitted.

ADDRESSES: The hearing will be in Room 910, Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Virginia.

Written requests to present testimony should be addressed to: Ivan R. Bender, Consultant, Office of the General Counsel, Copyright Office, Library of Congress, Washington, D.C. 20559.

Ten copies of written statements or of supplemental statements should be submitted as follows:

If sent by mail: Ivan R. Bender, Consultant, Office of the General Counsel, Copyright Office, Library of Congress, Caller No. 2999, Arlington, Virginia 22202.

If delivered by hand, the copies should be brought to Office of the General Counsel, Room 519, Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Virginia.

All requests to testify should clearly identify the individual or group

requesting to testify and the amount of time desired. The Copyright Office will undertake to contact all of the witnesses to confirm the times of their appearances.

FOR FURTHER INFORMATION CONTACT: Ivan R. Bender, Consultant, Office of the General Counsel, U.S. Copyright Office, Library of Congress, Washington, D.C. 20559 (703) 557-8731.

SUPPLEMENTARY INFORMATION: Section 118 of the Copyright Act of 1976 establishes special provisions affecting the use of certain types of works in programs transmitted by noncommercial broadcasters. In the absence of voluntary licenses, the Copyright Royalty Tribunal is authorized to establish reasonable terms and rates of royalty payments for use of published nondramatic musical works and published pictorial, graphic and sculptural works in accordance with the Act.

In the case of nondramatic literary works, Congress decided to rely on voluntary licensing agreements, pending a report by the Register of Copyrights, rather than authorize the Copyright Royalty Tribunal to set rates and terms.

Congress reached this conclusion because it was impressed with various arguments put forth by representatives of authors and publishers of nondramatic literary materials that such materials should not be subject to the provisions of section 118. They expressed the fear that if such materials were included in section 118, it would result in loss of control by authors over the use of their works in violation of basic principles of artistic and creative freedom.

Congress was assured by the representatives of authors and publishers of nondramatic literary materials that they would work out reasonable terms and conditions in private negotiations with representatives of noncommercial broadcasters. Such agreements, reached on a voluntary basis would safeguard the interests of authors and publishers, and at the same time would afford noncommercial broadcasters access to such materials on reasonable grounds. In order to facilitate successful private negotiations, the parties were granted a limited exemption from the antitrust laws.

To provide a means by which it could determine the extent to which such voluntary agreements were reached, and whether the agreements were successful, Congress declared that the Register of Copyrights should consult with authors and other owners of copyright in nondramatic literary works

and their representatives, and with public broadcasting entities and their representatives, and then submit a report to the Congress on January 3, 1980. This report, as described in section 118(e)(2), shall contain the findings of the Register, following these consultations, with respect to "the extent to which voluntary licensing arrangements have been reached * * *". The mandate further states the "report should also describe any problems that may have arisen, and present legislative or other recommendations, if warranted."

The Copyright Office believes that a public hearing is the appropriate forum for consulting with authors, other copyright owners, and public broadcasting entities in preparation for its report.

A standard voluntary licensing agreement has been negotiated by the Association of American Publishers, the Authors League of America, the Public Broadcasting Service, and National Public Radio (identified as "Public Broadcasting License for nondramatic Literary Works; a Schedule of Recommended Fees for such Public Broadcasting License") and was filed in the Copyright Office on August 28, 1979. We have been informed that the agreement can be implemented for practical reasons only on or about October 1, 1979.

It is clear, therefore, that the parties to the agreement will have little practical experience under the standard voluntary license by the date of the public hearing on November 7, 1979. However, the congressional directive for consultation with the parties will be satisfied by the public hearing, and the parties can give us information about their understandably limited experience under the agreement. In addition, we hope to obtain information about licensing practices before the agreement was reached and further details about the scope and terms of the agreement.

The Copyright Office is therefore interested in receiving comments and testimony about the general terms and scope of the agreement and information responsive to the following questions. Related statements and observations are welcome.

(1) How did the process of securing permission to use copyrighted nondramatic literary works function before the voluntary agreement went into effect? In this regard, what was the typical lead time a broadcaster required in order to obtain the necessary permission? Did authors and publishers receive requests in a manner which enabled them to respond expeditiously?

(2) What has been the experience of the parties since the voluntary agreement went into effect? What has been the practical experience of the Public Broadcasting Expediting Center, which was established as part of the licensing procedure?

(3) What has been the response by noncommercial broadcasters to the licensing system? What has been the response by authors and publishers? Have there been a significant number of permission requests and license agreements outside of the standard voluntary license? What were the terms of these licenses, and how did they depart from the agreement?

(4) What plans are being made by the Association of American Publishers, and the Authors League of America, the Public Broadcasting Service, and National Public Radio for monitoring the operation of the standard voluntary license? Are there plans for any further negotiations?

(5) What is the situation with respect to copyrighted nondramatic literary works that are not covered by the agreement? Will they be used by noncommercial broadcasters? Is so, under what terms?

(6) Do any of the parties to the voluntary agreement see the need for any modification in the legislation covering this topic? If so, what are the recommendations for such amendments?

(17 U.S.C. 118(e)(2))

Dated: October 2, 1979.

Barbara Ringer,
Register of Copyrights.

Approved:

Daniel J. Boorstin,
The Librarian of Congress.

[FR Doc. 79-31082 Filed 10-5-79; 8:45 am]

BILLING CODE 1410-3-M

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Meeting

Pursuant to Sec. 10(a)(2), of the Federal Advisory Committee Act, 5 U.S.C. (App. 1976), notice is hereby given that the National Advisory Committee on Oceans and Atmosphere (NACOA) will meet in working groups on Thursday and Friday, October 18-19. The groups will meet in Suite 438 of Page Building Number 1, 2001 Wisconsin Avenue, NW., Washington, D.C. The sessions will convene at 9:00 a.m. on both days and will be open to the public. The Thursday session will adjourn at 4:00 p.m. and the session on Friday will adjourn at approximately 3:00 p.m.

The Committee, consisting of 18 non-Federal members, appointed by the

President from State and local government, industry, science and other appropriate areas, was established by the Congress by Pub. L. 95-63, on July 5, 1977. Its duties are to: (1) Undertake a continuing review, on a selective basis, of national ocean policy, coastal zone management, and the status of the marine and atmospheric science and service programs of the United States; (2) advise the Secretary of Commerce with respect to the carrying out of the programs of the National Oceanic and Atmospheric Administration; and (3) submit an annual report to the President and to the Congress setting forth an assessment, on a selective basis, of the status of the National's marine and atmospheric activities, and submit such other reports as may from time to time be requested by the President or the Congress.

The business on Thursday will consist of a discussion, by a small number of Committee members and staff, of the Decade of Ocean Resource Use and Management. Friday will be devoted to discussions by similarly constituted groups of the NOAA Organic Act, Weather Modification, and Ocean Dumping.

Persons desiring to attend will be admitted to the extent seating is available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to impose limits on the duration of oral statements and discussions. Written statements may be submitted before or after each session.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Mr. John W. Connolly, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, 3300 Whitehaven Street, N.W. (Suite 43B, Page Building No. 1), Washington, D.C., 20235. The telephone number is (202) 254-8418.

Samuel H. Walinsky,
Executive Officer.

[FR Doc. 79-31215 Filed 10-5-79; 8:45 am]
BILLING CODE 3510-12-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (79-81)]

NASA Advisory Council (NAC), Aeronautics Advisory Committee (AAC); Meeting

The Informal Ad Hoc Advisory Subcommittee on Advanced Aeronautical Propulsion Technology

Requirements of the NAC Aeronautics Advisory Committee will meet October 31 and November 1, 1979 in the Committee Room, Administration Building, NASA Ames Research Center, Moffett Field, California. The meeting will be open to the public up to the seating capacity of the room (approximately 40 persons including Subcommittee members and participants).

The Subcommittee was established to assist the NASA in identifying and examining advanced propulsion technology requirements for future aeronautical vehicles, and to recommend program additions, deletions or changes in scope or emphasis which may be found necessary to support the overall NASA aeronautical research and technology objectives. The Chairperson is Dr. Maurice Shank and there are five members on the Subcommittee. Following is the approved agenda for the meeting:

Agenda

October 31, 1979

8:30 a.m.—Introductory Remarks
9:30 a.m.—Discussion of NASA FY 1981-85 Aeronautics 5-Year Plan
11:00 a.m.—Proposed Efforts in Aviation Fuels:
Aircraft Technology for Future Fuels Program
Aviation Fuels Data and Research Institute

November 1, 1979

8:30 a.m.—Rotorcraft Propulsion Program
10:30 a.m.—Forward Flight Velocity Effects on Aircraft Noise Program
2:00 p.m.—Committee Discussion and Formulation of Recommendations
4:30 p.m.—Adjourn

For further information please contact Mr. Richard Rudey, Executive Secretary of the Subcommittee, Code RTP-6, NASA Headquarters, Washington, D.C. 20546. Telephone 202/755-2395.

Russell Ritchie,
Deputy Associate Administrator for External Relations.

[FR Doc. 79-31039 Filed 10-5-79; 8:45 am]

October 1, 1979.

BILLING CODE 7510-01-M

[Notice (79-82)]

NASA Advisory Council (NAC) Space and Terrestrial Applications Advisory Committee (STAAC); Meeting

The Ad Hoc Informal Advisory Subcommittee on Technology Transfer of the NAC-STAAC will meet on October 24 and 25, 1979 at NASA Headquarters, Room 226A, Federal

Office Building 10B, 600 Independence Avenue, SW., Washington, D.C. 20546. Except as noted below the meeting will be open to the public. Members of the public will be admitted to the meeting on both days on a first-come, first-served basis and will be required to sign a visitor's register. The seating capacity of the meeting room is for 35 persons.

This Subcommittee, chaired by Dr. Robert P. Morgan, is comprised of eight members of the NAC-STAAC and will review and discuss highlights of the Technology Utilization program, status of legislation for an operational Landsat System and the role of the university in technology transfer.

The meeting will be closed to the public from 2:30 p.m. to 3:30 p.m., on October 25, 1979, for a discussion of the qualifications of candidates for membership on the Advisory Committee. Such a discussion would invade the privacy of the candidates and other individuals involved. Since this session will be concerned throughout with matters listed in 5 U.S.C. 552b(c)(6), it has been determined that this session should be closed to the public.

The approved agenda for the meeting is as follows:

October 24, 1979	
Time	Topic
9:00 a.m.	Chairperson's Remarks.
9:30 a.m.	Highlights of the Technology Utilization Program.
10:30 a.m.	Analysis and Review of Technology Transfers.
1:30 p.m.	S. 1250, Senate Bill to Promote Technological Innovation.
2:00 p.m.	"Outreach" to Industry, Status and Plans.
3:30 p.m.	Legislation for an Operational Landsat.
4:30 p.m.	Adjourn.
October 25, 1979	
8:30 a.m.	Role of the University in Technology Transfer.
10:00 a.m.	Technology Transfer Activities of the Social Sciences Group, University of California—Berkeley.
11:30 a.m.	Report on Activities of Other NAC-STAAC Advisory Subcommittees.
1:00 p.m.	Strengths and Weaknesses Noted in the Technology Transfer Program.
2:00 p.m.	Summary of Conclusions and Recommendations for Report to the Executive Subcommittee.
2:30 p.m.	Suggestions on Candidates for Membership (Closed Session).
3:30 p.m.	Date for Next Meeting and Adjournment.

For further information regarding the meeting, please contact Louis B. C. Fong, Executive Secretary of the

Subcommittee, Washington, D.C., (202) 755-7450.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

October 1, 1979.

[FR Doc. 79-31040 Filed 10-5-79; 8:45 am]

BILLING CODE 7510-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-289 (Restart)]

Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 1); Special Prehearing Conference and Opportunity for Limited Appearance Statements

October 3, 1979.

On July 2, 1979 the Nuclear Regulatory Commission ordered the licensee, Metropolitan Edison Company, to maintain Unit No. 1 of the Three Mile Island Nuclear Station (TMI-1) in a cold shutdown condition until a hearing is conducted and until further order of the Commission. On August 9, the Commission issued an Order and Notice of Hearing which was published on August 15 in Volume 44, Federal Register, p. 47821. The Order and Notice of Hearing, among other things, directed this Atomic Safety and Licensing Board to conduct a hearing on several subjects pertaining to the possible operation on TMI-1 and provided an opportunity for any person whose interest may be affected by the proceeding to file a petition for leave to intervene. Subsequently the Commonwealth of Pennsylvania by its Governor, the Pennsylvania Public Utilities Commission, the Consumer Advocate of Pennsylvania, and the County of Dauphin filed petitions to participate as government agencies under 10 CFR 2.715(c). The Atomic Safety and Licensing Board has also received eleven private petitions for leave to intervene under 10 CFR 2.714. On September 21, the board issued a memorandum and order preliminarily ruling on petitions and setting a schedule for certain prehearing activities in this proceeding.

Parties, petitioners and interested members of the public will please take notice that the Atomic Safety and Licensing Board will conduct a special prehearing conference as required by the Commission's Order and Notice of Hearing and by 10 CFR 2.751a of the Commission's regulations. The conference will be conducted in two sessions. The first session will begin at 9:00 a.m. on November 8, 1979 at: The Forum, Education Building,

Commonwealth Avenue and Walnut Street, Harrisburg, Pennsylvania. This session may extend until November 9.

The purpose of the first session is to permit identification of key issues in the proceeding and to provide for the further identification of issues; to consider all intervention petitions as amended and supplemented; to consider contentions, the status of parties to the proceeding, and the desirability of consolidating parties. The board will also consider the extent of participation by the interested Commonwealth agencies and the County of Dauphin.

A schedule for discovery and further actions in the proceeding will also be considered. The licensee, NRC staff and all intervention petitioners or their respective counsel, are directed to attend and to participate. Counsel for the participating Commonwealth agencies and the County of Dauphin are requested to attend. The public is invited to attend but there will be no opportunity for public participation during the first session.

The Commission has received many requests to make limited appearance statements in this proceeding. This opportunity is provided for in the Commission's regulation, 10 CFR 2.715(a). The board will conduct a second session of the special prehearing conference set aside for public limited appearance statements. Subsessions of the public appearance session will begin at 1:30 p.m. and 7:00 p.m. on November 15 and 9:00 a.m. and 1:00 p.m. on November 16 at: Hershey Little Theatre, Hershey Community Center Building, 14 East Chocolate Avenue, Hershey, Pennsylvania. Beginning 9:00 a.m., November 17, another subsession for public limited appearance statements will be conducted at the Forum in the Education Building, Commonwealth Avenue and Walnut Street, Harrisburg, Pennsylvania.

Any person who is not a party to this proceeding may make an oral or written limited appearance statement of his position on the issues to be decided in this proceeding. The board will explain the nature of the proceeding, summarize the issues falling within the scope of the hearing and attempt to answer questions from the public about the proceeding. Persons making limited appearance statements may propose questions they wish answered by the licensee and the NRC staff and they may recommend subjects to be addressed by the evidence in the hearing. The board will consider these questions and recommendations to the extent they are within the scope of the proceeding and are otherwise appropriate.

Because of the large number of requests to make limited appearance statements the board foresees the possible need to impose a five minute time limit on the length of oral statements, but written statements may be any reasonable length. Written statements may be presented to the board at any session or they may be mailed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Docketing and Service Section. Both oral and written statements will be made a part of the official record of this proceeding.

Copies of the Commission's Order and Notice of Hearing, the petitions to intervene and to participate as interested government agencies, the board's memorandum and order ruling on petitions, and other documents relating to this proceeding are available for inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and the Commission's local public document room at the State Library of Pennsylvania, Government Publications Section, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania.

Dated at Bethesda, Md., this 3rd day of October 1979.

For the Atomic Safety and Licensing Board.
Ivan W. Smith,
Chairman.

[FR Doc. 79-31211 Filed 10-5-79; 8:45 am]

BILLING CODE 7530-01-M

National Transportation Safety Board

[Docket No. SA-471 (Prinair)]

Aviation Accident Investigation Hearing: San Juan, P.R.

Notice is hereby given that the National Transportation Safety Board will convene an accident investigation hearing at 9:00 a.m. (local time) October 23 through October 25, 1979, in Meeting Room B-C of the Ballroom of the Palace Hotel, Isla Verde, San Juan, Puerto Rico.

The public hearing will be held in connection with the Safety Board's investigation of the Puerto Rico International Airlines, Inc., deHavilland Model 114 Heron, N575PR, which occurred at St. Croix, U.S. Virgin Islands, on July 24, 1979.

William R. Hendricks,
Senior Hearing Officer.

October 1, 1979.

[FR Doc. 79-31089 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-58-M

OFFICE OF MANAGEMENT AND BUDGET**Agency Forms Under Review**

October 3, 1979.

Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 U.S.C., Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Each entry contains the following information:

The name and telephone number of the agency clearance officer;

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out;

Who will be required or asked to report;

An estimate of the number of forms that will be filled out;

An estimate of the total number of hours needed to fill out the form; and

The name and telephone number of the person or office responsible for OMB review.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. In addition, most repetitive reporting requirements or forms that require one half hour or less to complete and a total of 20,000 hours or less annually will be approved ten business days after this notice is published unless specific issues are raised; such forms are identified in the list by an asterisk(*).

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. Comments and

questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Stanley E. Morris, Deputy Associate Director for Regulatory Policy and Reports Management, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—447-6201

New Forms

Farmer's Home Administration,
Estimate and Certificate of Actual Cost
HUD 92330-A FMHA 1924-13

On occasion

Contractors and loan applicants, 1,200 responses; 2,400 hours

Charles A. Filett, 395-5080

Revisions

Economics, Statistics, and Cooperatives
Service

Multiframe Hog and Cattle Survey

Quarterly

Hog and cattle farmers, 185,267

responses; 45,905 hours

Office of Federal Statistical Policy and
Standard, 673-7974

Food and Nutrition Service

Model Food Stamp Forms

On occasion

Food stamp applicants and State

agencies, 62,953,340 responses;

18,061,707 hours

Charles A. Filett, 395-5080

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward
Michals—377-3627

New Forms

Economic Development Administration
Preliminary Plan for Crosscut Evaluation
System

Phase I

ED-451Q

Single time

Local government officials, business

firms, 1,750 responses; 875 hours

Richard Sheppard, 395-3211

Revisions

Bureau of the Census
Shipments of Metal Cans
MA-34D

Annually

Manufacturers of metal cans, 200 responses; 200 hours

Office of Federal Statistical Policy and
Standard, 673-7974

Bureau of the Census

*Inorganic Chemicals (production and
stocks)

M-28A (formerly M-28A.1)

Monthly

Chemical manufacturers, 4,200

responses; 1,400 hours

Office of Federal Statistical Policy and
Standard, 673-7974

DEPARTMENT OF DEFENSE

Agency Clearance Officer—John V.
Wenderoth—697-1195

New Forms

Departmental and Other

Female Attitude Study

Single time

Female youth, 1,814 responses; 907 hours

Richard Sheppard, 395-3211

Extensions

Defense Supply Agency

*Surplus Property Bidders Application

DLSC-340

On occasion

Individual public business, 36,000

responses; 18,000 hours

Richard Sheppard, 395-3211

DEPARTMENT OF ENERGY

Agency Clearance Officer—John
Gross—252-5214

New Forms

Utility-Gas Usage Data

EIA-178C

Single time

Electric Utilities, Natural Gas & Fuel Oil

Co., 8 responses; 64 hours

Jefferson B. Hill, 395-5867

Survey of Selected Consumer Product

Manufacturers

CS-195

Single time

Appliance Mfg., 64 responses; 960 hours

Jefferson B. Hill, 395-5867

Household Energy Use Survey

EIA-178A

Single time

Sample of households in 4 States in the
Pacific NW, 4,000 responses; 3,000
hours

Jefferson B. Hill, 395-5867

Minority Energy Technical Assistance

Program

CS-139

Single time

Minority elected officials, 1,739 responses; 870 hours
 Jefferson B. Hill, 395-5867
 Electricity Usage Data
 EIA-178B
 Single time
 Electric Utilities, Natural Gas & Fuel Oil Co., 37 responses;
 Jefferson B. Hill, 395-5867.
 Fuel Oil Usage Data
 EIA-178D
 Single time
 Electric Utilities, Natural Gas & Fuel Oil Co., 100 responses; 150 hours
 Jefferson B. Hill, 395-5867

Revisions

Class I and II Systems and Requested Class IV and V Systems Power System Statement 12
 Annually
 Class I and II Systems and Requested Class IV and V Systems, 623 responses; 155,750 hours
 Jefferson B. Hill, 395-5867
 (Class I and II Systems and Requested Class IV and V Systems) Power System Statement 12D

Annually
 Class III System with less than 5,000 MWH; Spec. Class IV and V Systems, 869 responses; 13,035 hours
 Jefferson B. Hill, 395-5867

Report of Events Affecting Bulk Power Supply

On occasion
 Electric energy generation, 108 responses; 216 hours

Jefferson B. Hill, 395-5867
 Sales of Liquefied Petroleum Gases
 EIA-174

Annually
 LPG producers, processors and dealers, 3,100 responses; 6,200 hours
 Jefferson B. Hill, 395-5867

Annual Report for Natural Gas Companies (Class C and Class D)
 FPC 2-A

Annually
 (Class C and D) natural gas companies, 24 responses; 996 hours
 Jefferson B. Hill, 395-5867.

Monthly Power Plant Report
 FPC-4

Monthly
 Electric utilities and industries generating plants, 15,444 responses; 50,966 hours

Jefferson B. Hill, 395-5867
 Steam-Electric Plant Air and Water Quality Control

FPC 67
 Annually
 Utilities with steam-electric plants 25 megawatts and greater, 830 responses; 24,900 hours

Jefferson B. Hill, 395-5867

Extensions

Power System Statement—Classes III, IV and V Systems
 12-A

Annually
 Class III, IV and V systems, 2,121 responses; 53,025 hours
 Jefferson B. Hill, 395-5867

Application for Small Producer Exemption and Annual Statement To Support Exemption

FPC 314A

On occasion

Independent producers of natural gas, 2,500 responses; 7,500 hours
 Jefferson B. Hill, 395-5867

Total Gas Supply of Natural Gas Pipeline Companies

Annual report

FERC-15

Annually

Natural gas pipeline, 93 responses; 113,367 hours

Jefferson B. Hill, 395-5867

Cost Data for Pipeline Construction
 ICC-ACV-9

Annually

Description not furnished by agency, 75 responses; 1,600 hours

Jefferson B. Hill, 395-5867

Summary of Cost of Reproduction New and Reproduction

New Less Depreciation—Pipeline Carriers

ICC-ACV-4

Annually

Common carrier pipeline, 1,590 responses; 3,975 hours

Jefferson B. Hill, 395-5867

Summary of Changes in Original Cost and Total

Original Cost at End of Period—Pipeline Carriers

ICC-ACV-3

Annually

Common carrier pipeline companies, 318 responses; 795 hours

Jefferson B. Hill, 395-5867

Statement of Property Changes Other Than Land and Rights-of-Way
 Pipeline Carriers

ICC-ACV-1

Annually

Common carrier oil pipeline companies, 5,300 responses; 13,250 hours

Jefferson B. Hill, 395-5867

Quarterly Report of Pipe Line Companies

ICC-OPS

Quarterly

Large pipeline companies, 416 responses; 416 hours

Jefferson B. Hill, 395-5867

Cost Data for Equipment and Tanks
 ICC-ACV-8

Annually

Pipeline carriers subject to Interstate Commerce Act, 75 responses; 300 hours

Jefferson B. Hill, 395-5867

Inventory of Land and Rights-of-Way
 ICC-ACV-6

On occasion

Common carrier pipeline companies, 24 responses; 72 hours

Jefferson B. Hill, 395-5867

Summary of Original Cost Inventory
 ICC-ACV-7

On occasion

Common carrier pipeline, 12 responses; 30 hours

Jefferson B. Hill, 395-5867

Annual Report for Natural Gas Companies (Class A and E)

FPC-2

Annually

Natural gas company with operation revenue of \$1 million or greater, 82 responses; 173,184 hours

Jefferson B. Hill, 395-5867

Summary of Land and Rights-of-Way
 Property Changes—Pipeline Carriers

ICC-ACV-2

Annually

Common carrier pipeline companies, 530 responses; 1,325 hours

Jefferson B. Hill, 395-5867

Monthly Report of Cost and Quality of Fuels for Electric Plants

FPC-423

Monthly

Electric utility companies, 10,800 responses; 21,600 hours

Jefferson B. Hill, 395-5867

Licensed Projects Recreation Report
 FPC-80

Other (see SF-83)

Electric utilities, 80 responses; 3,680 hours

Jefferson B. Hill, 395-5867

Power Line and Construction Data
 FPC 12-F

Annually

Electric public utilities, 554 responses; 11,080 hours

Jefferson B. Hill, 395-5867

Report on Service Interruptions on Pipeline Systems

FPC-R0016

On occasion

Natural gas pipeline companies, 125 responses; 1,250 hours

Jefferson B. Hill, 395-5867

Underground Gas Storage Report
 FPC 8

Monthly

Natural gas companies, 603 responses; 1,824 hours

Jefferson B. Hill, 395-5867

Annual Report for Importers and Exporters of Natural Gas

FPC 14

Annually
Description not furnished by agency, 25 responses; 100 hours
Jefferson B. Hill, 395-5867
Annual Report for Electric Utilities, Licensees and Others (Class A and E)
FPC-1
Annually
Jurisdictional class A & B public electric utilities, 287 responses; 411,558 hours
Jefferson B. Hill, 395-5867
Annual Report for Public Utilities and Licensees (Class C and D)
FPC-1-F
Annually
Jurisdictional class C & D public electric utilities, 12 responses; 504 hours
Jefferson B. Hill, 395-5867

Reinstatements

Industrial Electric Generating Capacity—Smaller Industrial Plants
FPC 12C
Annually
Industrial generating plants, 657 responses; 818 hours
Jefferson B. Hill, 395-5867
Questionnaire Schedules for Continuing Review of Rate Schedules Analysis, Filed Rates, Volumes and Quality Conditions
FPC 108
On occasion
Natural gas producers, 888 responses; 15,957 hours
Jefferson B. Hill, 395-5867
Emergency Heating Oil Telephone Survey
EIA-127
Other (see SF-83)
Heating oil resellers, 12,800 responses; 3,200 hours
Jefferson B. Hill, 395-5867
Report of Gas Supply, Requirements and Curtailments
FPC-16
Semi-Annually
Natural gas pipeline companies, 112 responses; 3,136 hours
Jefferson B. Hill, 395-5867

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency Clearance Officer—Peter Gness—245-7488

New Forms

Alcohol, Drug Abuse and Mental Health Administration Psychological Aspects of the TMI Incident
Other (see SF-83)
Individuals in community, 2,100 responses; 5,600 hours
Richard Eisinger, 395-3214
Center for Disease Control Reye Syndrome Surveillance
On Occasion
Pediatric hospitals, 432 responses; 108 hours

Richard Eisinger, 395-3214
Center for Disease Control Standard Immunization Record
Other (see SF-83)
Description not furnished by Agency, 1 response; 1 hour
Richard Eisinger, 395-3214
Food and Drug Administration
Reimbursement for Participation in Administrative Proceedings
On occasion
Public interest organizations, 30 responses; 450 hours
Richard Eisinger, 395-3214

Revisions

Public Health Service
Clinic Visit Record for Family Planning Services
PHS 6138-1 thru 14
Other (see SF-83)
Family planning service sites, 320,000 responses; 48,000 hours
Richard Eisinger, 395-3214
Social Security Administration
Quarterly Report on Recipient Fraud in Public Assistance Programs
SSA-4110
Quarterly
State welfare agencies, 216 responses; 1,728 hours
Barbara F. Young, 395-6132

Extensions

Office of Human Development Report of Vending Facility Program
SRS-RSA-15
Annually
State licensing agencies, 54 responses; 864 hours
Barbara F. Young, 395-6132

Reinstatements

Food and Drug Administration Multi-Purpose Food and Cosmetics Survey
Single time
National probability samples of households, 1 response; 1 hour
Office of Federal Statistical Policy & Standard, 673-7974
Office of Human Development Quarterly Cumulative Report of Clients in Special Target Groups
OHDS-RSA-102
Quarterly
State VR agency, 336 responses; 552 hours
Barbara F. Young, 395-6132
Office of Human Development
Case Service Report: Federal-State Program of Vocational Rehabilitation
OHDS-RSA-300 Annually State vocational rehabilitation agencies, 1,200,000 responses; 50,000 hours
Barbara F. Young 395-6132
Office of Human Development
Report on Training Services Project Grant—Section 13

OHDS-RSA-41
Semi-annually
Rehabilitation facilities 100 responses; 400 hours
Barbara F. Young, 395-6132
Office of Human Development
Annual Report on Post-Employment Services
OHDS-RSA-32
Annually
State Vocational Rehabilitation Agency, 84 responses; 198 hours
Barbara F. Young, 395-6132
Office of Human Development
Quarterly Cumulative Caseload Report
OHDS-RSA-101
Quarterly
State vocational rehabilitation agency
336 responses; 1,797 hours
Barbara F. Young, 395-6132

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G. Masarsky—755-5184

New Forms

Policy Development and Research
Telephone Survey Interview Schedule
Single time
Local Officials-eligible non-applicants to small cities CDE, 420 responses; 210 hours
Arnold Strasser, 395-5080
Policy Development and Research
Market Generated displacement
Single time
Households in 3 Cities, 1,000 responses; 480 hours
Arnold Strasser, 395-5080
Policy Development and Research
State Interview Guide
Single time
Mental Health Advoc. Groups and Agen. in 10 States Selected, 169 responses; 105 hours
Arnold Strasser, 395-5080

Reinstatements

Housing Management
Management Plan Requirements; Questionnaire for Sponsor;
Questionnaire for Managing Agent
HUD 9405 9405 A&B
On occasion
Owners and Mgmt. Agents of HUD-Assisted Projects, 2,000 responses; 10,000 hours
Arnold Strasser, 395-5080

DEPARTMENT OF JUSTICE

Agency Clearance Officer—Donald E. Larue—633-3526

New Forms

Law Enforcement Assistance Administration

Law Enforcement Standards and Training Survey LEAA 5000
Single time
State directions of law Enforcement Training, 50 responses; 200 hours
Off. of Federal Statistical policy and Standard, 673-7974

DEPARTMENT OF LABOR

Agency Clearance Officer—Philip M. Oliver—523-6341

New Forms

Employment and Training Administration
Evaluation of the Hire Program MT-1074
Single time
Individuals in Hire Program, 1,550 responses; 866 hours
Arnold Strasser, 395-5080

Revisions

Employment and Training Administration
*Employment and Training Administration Manual-EEC
Reporting system
ETA 7152, 7153, and 7154
Semi-annually
ETA Contractors and Grantees, 4,944 responses; 2,472 hours
Arnold Strasser, 395-5080
Employment Standards Administration
Applications for Special Certification Under FLSA
Requirements
WH-2 205, 222, 226, 227, 242, 247, 249, and 373
On occasion
Description not Furnished by Agency, 30,250 responses; 15,591 hours
Arnold Strasser, 395-5080

Reinstatements

Bureau of Labor Statistics
Characteristics of the Insured Unemployed
ES-203
Monthly
State Employment Security Agencies, 636 responses, 318 hours
Arnold Strasser, 395-5080

COMMUNITY SERVICES ADMINISTRATION

Agency Clearance Officer—Jack Stoehr—254-5300

New Forms

Emergency Crisis Assistance Program¹

¹The reporting requirements specified in the final rule for the Energy Crisis Assistance Program, published in the Federal Register on September 4, 1979, to be effective October 4, 1979, will be amended, if necessary, to reflect any changes resulting from OMB review. Use of these reporting requirements is a violation of law (44 U.S.C. 3509) prior to OMB approval. These reporting

CAP/11/OEO-380/OSA-393/OSA-440/SF-269

SF-272
Annually
Governors of States of U.S., 2,491 responses; 2,796 hours
Barbara F. Young, 395-6132

GENERAL SERVICES ADMINISTRATION

Agency Clearance Officer—John F. Gilmore—566-1164

Revisions

Contractor's Report of Orders Received GSA 72
Monthly
Rehabilitation Program Contractors, 27,600 responses; 13,800 hours
Marsha D. Traynham, 395-6140

NATIONAL TRANSPORTATION SAFETY BOARD

Agency Clearance Officer—Frederick King, Chief—472-6177

New Forms

School Bus Driver Safety Interview
Single time
School Bus Drivers and Supervisors, 500 responses; 500 hours
Susan B. Geiger, 395-5867

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—632-7737

Reinstatements

Professional, Administrative, Clerical, and Technical
Pay-LOB Spring 1979 Test Survey
Single time
Private Establishment With Over 100 Employees, 1,500 responses; 3,750 hours
Laverne V. Collins, 395-3214

RAILROAD RETIREMENT BOARD

Agency Clearance Officer—Pauline Lohens—312-751-4693

Revisions

*Request for Court Statement Regarding Divorce or Annulment
G-238A
On occasion
Court Clerks, 250 responses; 2 hours
Barbara F. Young, 395-6132
*State of Authority to Act for Employee—Sickness Benefits
SI-10 (4-7)
On occasion
Claimants for Sickness Benefits, 500 responses; 42 hours

requirements may be approved by OMB soon after publication of this notice because of urgent need for distribution of funds prior to the onset of winter weather. Public comments will still be carefully considered, and any changes indicated may be made by amendment to the final rule.

Barbara F. Young, 395-6132

*Appeal From Initial Decision of Bureau of Retirement

Claims; Appeal From Decision of the Referee

AC-1 (10-76) & AC-2 (9-70)

On occasion

Current and Former Railroad Workers, 560 responses; 280 hours

Barbara F. Young, 395-6132

Extensions

*Supplemental Information on Accident and Insurance

SI-1C

On occasion

Applicants for Sickness Benefits, 20,000 responses; 1,667 hours

Barbara F. Young, 395-6132

*Claims Agents and Claimants Statement Re: Benefits for

Days Worked by Claimants

UI-48 and UI-54

On occasion

UI Claimants and Claims Agents, 1,200 responses; 200 hours

Barbara F. Young, 395-6132

*Statement of Residence (From Time of Separation From Spouse Until Death)

G-238

On occasion

Applicants; Deponents, 600 responses; 150 hours

Barbara F. Young, 395-6132

*Report of Physical Condition of Claimant Under RUIA

SI-34

On occasion

Physicians, 1,500 responses; 125 hours
Barbara F. Young, 395-6132

*Application for Accrued Benefits due Under the RUIA and

Unpaid at Death

UI-63

On occasion

Applicants for Benefits due Under RUIA Unpaid at Death, 600 responses; 70 hours

Barbara F. Young, 395-6132

Reinstatements

*Agreements of Relative Concerning Acceptability of Person

Being Recommended to Receive Benefits in Behalf of

Annuitant

G 380

On occasion

Relatives of Incompetant Annuitants, 1,500 responses; 125 hours

Barbara F. Young, 395-6132

UNITED STATES INTERNATIONAL TRADE COMMISSION

Agency Clearance Officer—Charles Ervin—523-0267

New Forms

Questionnaire for Purchasers of Marine Radars
Single time
Purchasers of Marine Radar Systems, 60 responses; 240 hours
Susan B. Geiger, 395-5867

Revisions

Synthetic Organic Chemicals, U.S. Production and Sales
CD-A1
Annually
Original Manufacturers of Synthetic Organic Chemicals, 750 responses; 750 hours
Susan B. Geiger, 395-5867
Stanley E. Morris,
Deputy Associate Director for Regulatory Policy and Reports Management.
[FR Doc. 79-31068 Filed 10-5-79; 8:45 am]
BILLING CODE 3110-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 06/10-0150]

Capital Marketing Corp.; Filing of Application for Approval of a Conflict of Interest Transaction Between Associates

Notice is hereby given, pursuant to § 107.1004 of the regulations governing small business investment companies (13 CFR 107.1004 (1979)), by the Small Business Administration (SBA) of a conflict of interest transaction between Capital Marketing Corporation (CMC), 9001 Ambassador Row, P.O. Box 225293, Dallas, Texas 75265, a Federal Licensee under the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 661 et seq.), and an Associate.

CMC was licensed by SBA on June 24, 1968. Affiliated Food Stores, Inc. (Affiliated) owns approximately 7 percent of CMC's common stock and 100 percent of its preferred stock. Affiliated is a wholesale food cooperative having about 850 members. As a result of this equity interest, Affiliated is deemed to be an Associate of CMC as defined by § 107.3(b) of the SBA rules and regulations.

CMC proposes to provide financial assistance to Mr. Myron Watts, an employee of Affiliated and therefore, an Associate of CMC as defined by § 107.3(c) of the regulations. Mr. Watts intends to terminate his employment with Affiliated and purchase a retail grocery store in Clarksville, Texas. The store, The Food Basket, is currently

owned by two brothers, Gerald R. and Jimmy V. Reed, who are members of the food cooperative, Affiliated.

The proposed transactions falls within the purview of § 107.1004(b)(1) of the regulations and requires a written exemption from SBA. SBA is considering a request for such exemption.

Notice is further given that any person may, not later than October 24, 1979, submit to SBA in writing, comments on the proposed transaction.

Any such communication should be addressed to: Acting Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Dallas and in Clarksville, Texas.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: October 1, 1979.

Peter F. McNeish,
Acting Associate Administrator for Finance and Investment.

[FR Doc. 79-31070 Filed 10-5-79; 8:45 am]
BILLING CODE 8025-01-M

[License No. 04/04-5162]

The First American Lending Corp.; Issuance of a License To Operate as a Small Business Investment Company

On February 15, 1979, a notice was published in the Federal Register (44 FR 9822), stating that The First American Lending Corporation, 1200 North Dixie Highway, Lake Worth, Florida 33460, has filed an application with the Small Business Administration pursuant to 13 CFR 107.102 (1978), for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended.

Interested parties were given until the close of business March 2, 1979, to submit their comments to SBA. One comment was received.

Notice is hereby given that having considered the application and other pertinent information, SBA has issued License No. 04/04-5162 to The First American Lending Corporation on September 27, 1979.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: October 1, 1979.

Peter F. McNeish,
Acting Associate Administrator, Finance and Investment.

[FR Doc. 79-31068 Filed 10-5-79; 8:45 am]
BILLING CODE 8025-01-M

[License No 05/05-5141]

Innecity Capital Access Center, Inc.; Issuance of a License to Operate as a Small Business Investment Company

On August 21, 1979, a notice was published in the Federal Register (44 FR 163), stating that Innecity Capital Access Center, Incorporated, 3049 East Grand Boulevard, Detroit, Michigan 48202, has filed an application with the Small Business Administration pursuant to 13 CFR 107.102 (1979), for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended.

Interested parties were given until the close of business September 5, 1979, to submit their comments to SBA. No comments were received.

Notice is hereby given that having considered the application and other pertinent information, SBA has issued License No. 05/05-5141 to Innecity Capital Access Center, Incorporated on September 25, 1979.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: October 1, 1979.

Peter F. McNeish,
Acting Associate Administrator, Finance and Investment.

[FR Doc. 79-31069 Filed 10-5-79; 8:45 am]
BILLING CODE 8025-01-M

[License No. 04/04-0173]

Issuance of License; the Quiet Small Business Investment Corp.

On July 2, 1979, a Notice was published in the Federal Register (44 FR 38689) stating that an application had been filed by The Quiet Small Business Investment Corporation, 100 East Garden Street, Pensacola, Florida 32501 with the Small Business Administration (SBA) pursuant to Section 107.102 of the SBA Rules and Regulations governing small business investment companies (SBIC) (13 CFR 107.102 (1979)), for a license as an SBIC.

Interested parties were given until the close of business July 17, 1979, to submit their written comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958 as amended,

after having considered the application and all pertinent information, the SBA issued license No. 04/04-0173 to The Quiet Small Business Investment Corporation.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

Dated: September 18, 1979.

Peter F. McNeish,

Acting Associate Administrator, Finance and Investment.

[FR Doc. 79-31073 Filed 10-5-79; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0223]

Montgomery Street Partners, Inc.; License Surrender

Notice is hereby given that Montgomery Street Partners, Inc., 44 Montgomery Street, San Francisco, California 94104, has surrendered its license (issued October 30, 1978) to operate as a small business investment company, under the Small Business Investment Act of 1958 (Act), as amended (15 USC 661 et seq.).

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender of Montgomery Street Partners, Inc., is accepted herewith and, accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Programs No. 59.011, Small Business Investment Companies)

Dated: October 1, 1979.

Peter F. McNeish,

Acting Associate Administrator, Finance and Investment.

[FR Doc. 79-31071 Filed 10-5-79; 8:45 am]

BILLING CODE 8025-01-M

[License No. 04/05-0002]

The Third's Small Business Investment Co.; License Surrender

Notice is hereby given that the Third's Small Business Investment Company, 4th & Church Street, Nashville, Tennessee 37244, has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958 (Act), as amended. The Third's Small Business Investment Company was licensed by the Small Business Administration on May 11, 1959.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the license was accepted September 5, 1979, and accordingly, all rights, privileges and

franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Peter F. McNeish,

Acting Associate Administrator, Finance and Investment.

[FR Doc. 79-31072 Filed 10-05-79; 8:45 am]

BILLING CODE 8025-01

Crosspoint Investment Corp.; Issuance of Small Business Investment Company License

[License No. 09/09-0245]

On September 7, 1979, a Notice of application for a license to operate as a small business investment company was published in the Federal Register (Vol. 44 No. 175) stating that an application has been filed with the Small Business Administration pursuant to § 107.102 of the regulations governing small business investment companies (13 CFR 107.102 (1979)) for a license to operate as a small business investment company by Crosspoint Investment Corporation, 1015 Corporation Way, Palo Alto, California 94304.

Interested parties were given until the close of business September 21, 1979, to submit their comments. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information with regard thereto, SBA issued License No. 09/09-0245 to Crosspoint Investment Corporation to operate as a small business investment company on September 28, 1979.

(Catalog of Federal Domestic Programs No. 59.011, Small Business Investment Companies)

Dated: October 1, 1979.

Peter F. McNeish,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 79-31112 Filed 10-5-79; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

Agency for International Development

Board for International Food and Agricultural Development; Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(a)(2), Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given of the thirty-second meeting of the Board for International Food and Agricultural

Development (BIFAD) on October 25, 1979. The purpose of the meeting is to: receive and discuss the progress reports of the Joint Research Committee (JRC) and the Joint Committee for Agricultural Development (JCAD); discuss the need for complementary relationships among Title XII program components; discuss BIFAD/IDCA/ISTC/AID organizational and operational arrangements; report on the status of the foreign aid budget; and discuss JRC/JCAD membership. The meeting will begin at 9:00 a.m. and adjourn at 4:00 p.m.; and will be held in Room 1107, New State Department Building, 22nd and C Streets, N.W., Washington, D.C. The meeting is open to the public. Any interested person may attend, may file written statements with the Board before or after the meeting, or may present oral statements in accordance with procedures established by the Board, and to the extent the time available for the meeting permits. An escort from the "C" Street Information Desk (Diplomatic Entrance) will conduct you to the meeting room.

Dr. Erven J. Long, Director, Office of Title XII Coordination and University Relations, Development Support Bureau, A.I.D., is designated as A.I.D. Advisory Committee Representative at the meeting. It is suggested that those desiring further information write to him in care of the Agency for International Development, State Department, Washington, D.C. 20523, or telephone him at (703) 235-8929.

Dated: September 28, 1979.

Erven J. Long,

A.I.D. Advisory Committee Representative, Board for International Food and Agricultural Development.

[FR Doc. 79-31052 Filed 10-05-79; 8:45 am]

BILLING CODE 4710-02-M

Office of the Secretary

[Public Notice CM-8/234]

Advisory Committee on Historical Diplomatic Documentation; Meeting

The Advisory Committee on Historical Diplomatic Documentation will meet on November 8, 1979, at 1:00 p.m. in Room 1408 of the Department of State. Another meeting will begin at 9:00 a.m. on November 9 in the same room.

The Advisory Committee advises the Bureau of Public Affairs, and in particular the Office of the Historian, concerning problems connected with preparation of the documentary series entitled *Foreign Relations of the United States* and other responsibilities of that Office. Of particular importance are editorial and publishing practice and questions related to declassification of

official records as specified in Executive Order 12065 (June 28, 1978).

In accordance with Section 10(d) of the Advisory Committee Act (P.L. 92-463) it has been determined that certain discussions during the meeting will necessarily involve consideration of matters recognized as not subject to public disclosure under 5 U.S.C. 552b(c)(1), and that the public interest requires that such activities be withheld from disclosure. The meeting will therefore be closed when such discussions take place, at 9:00 a.m., Friday, November 9 only.

Persons wishing to attend the meeting should come before 1:00 p.m. on November 8 to the Diplomatic Entrance of the Department of State at 22nd and C Streets, N.W., Washington, D.C. They will be escorted to room 1408 and at the conclusion of the meeting back to the Diplomatic Entrance.

Questions concerning the meeting should be directed to David F. Trask, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, D.C. 20520; telephone (202) 632-8888.

David F. Trask,
Executive Secretary.

September 24, 1979.

[FR Doc. 79-31129 Filed 10-5-79; 8:45 am]

BILLING CODE 4710-11-M

[Public Notice CM-8/233]

Advisory Committee to the U.S. National Section of the International Commission for the Conservation of Atlantic Tuna; Meeting

Notice is hereby given, pursuant to the provisions of Pub. L. 92-463, that a meeting of the Advisory Committee to the United States National Section of the International Commission for the Conservation of Atlantic Tunas will be held on October 30, 1979, from 9:30 A.M. to 5:00 P.M., in the Penthouse, Page One Building, 2001 Wisconsin Avenue, Washington, D.C.

The October 30 meeting will be open to the public, and the public may participate in the discussions subject to the instructions of the Committee Chairman. Subjects to be discussed include: Report of the Standing Committee on Research and Statistics (SCRS) Officers' Meeting; Report on the Meeting of the Subcommittee on Skipjack Tuna of July, 1979; Report of the Meeting of the Bluefin Tuna Workshop of September, 1979; Review of the Status of Stocks and Research Concerning Atlantic Bluefin Tuna; Review of the Status of Stocks and Research Concerning Billfish; Review of

the Status of Stocks and Research Concerning Yellowfin, Skipjack, Albacore and Bigeye Tuna; and other Matters, including International Inspection, Election of ICCAT Officers, and ICCAT Voting Procedures.

The Advisory Committee will also meet in closed session on October 31, 1979, from 9:30 A.M. to 3:00 P.M., in the Woodward Room, National Wildlife Federation, 1412 16th Street N.W., Washington, D.C. At this session documents classified in accordance with Executive Order 12065 will be circulated and discussed and matters will be considered which the public interest requires be withheld from disclosure as authorized by 5 U.S.C. 552b(c)(1), and Section 10(d) of the Federal Advisory Committee Act.

Requests for further information on the October 30 meeting should be directed to Douglas McCaleb, Office of International Fisheries Affairs, National Marine Fisheries Service, Department of Commerce. He may be reached by telephone on (202) 634-7257.

Dated: September 20, 1979.

John D. Negroponte,
Deputy Assistant Secretary for Oceans and Fisheries Affairs.

[FR Doc. 79-31128 Filed 10-5-79; 8:45]

BILLING CODE 4710-07-M

[Public Notice CM-8/237]

Shipping Coordinating Committee, U.S. SOLAS Working Group on Fire Protection; Meeting

The U.S. SOLAS Working Group on Fire Protection will conduct an open meeting at 9:30 on October 24, 1979 in Room 1319 at the U.S. Coast Guard Headquarters, 2200 V Street, S.W., Washington, D.C. 20590.

The purpose of this meeting will be to:—Review outcome of XXII Session (16-20 July, 1979).

—Prepare documents for submission to FPXXIV.

—Review recently submitted documents by other delegations to determine if a response is appropriate.

—Discuss IGS guidelines.

—Discuss detection systems.

—Discuss harmonization of tankers.

—Discuss standards of portable fire extinguishers.

Requests for further information should be directed to Mr. Daniel F. Sheehan, U.S. Coast Guard (G-MMT-4/TP-13), Washington, D.C. 20590, telephone (202) 426-2197 or to Mr. Donald J. Kerlin, U.S. Coast Guard (G-MMT-6/TP-13), Washington, D.C. 20590, telephone (202) 426-2192.

The chairman will entertain comments from the public as time permits.

John Todd Stewart,
Chairman, Shipping Coordinating Committee.
October 2, 1979.

[FR Doc. 79-31131 Filed 10-5-79; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice CM-8/236]

Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea; Meeting

The working group on radiocommunications of the Subcommittee on Safety of Life at Sea will conduct an open meeting at 1:30 PM on October 18, 1979 in Room 8440 of the Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590.

The purpose of the meeting is to prepare position documents for the Twenty-first Session of the Subcommittee on Radiocommunications of the Intergovernmental Maritime Consultative Organization (IMCO) to be held in London in January, 1980. In particular, the working group will discuss the following topics:

—Survival craft radio equipment.
—Operational requirements for future EPIRBs.

—Operational standards for shipboard radio equipment.

—Maritime distress system.

Requests for further information should be directed to Lt R.F. Carlson, c/o Commandant (G-OTM/74), United States Coast Guard, 400 Seventh Street, S.W., Washington, D.C. 20590, telephone (202) 426-1345.

The Chairman will entertain comments from the public as time permits.

John Todd Stewart,
Chairman, Shipping Coordinating Committee.
September 26, 1979.

[FR Doc. 79-31130 Filed 10-5-79; 8:45 am]

BILLING CODE 4710-07-M

[Public Notice CM-8-232]

Study Group 7 of the U.S. Organization for the International Radio Consultative Committee (CCIR); Meeting

The Department of State announces that Study Group 7 of the U.S. Organization for the International Radio Consultative Committee (CCIR) will meet on October 22, 1979, at the U.S. Naval Observatory, 34th Street and Massachusetts Avenue, Washington, D.C., in Building 52, Room 300. The meeting will begin at 8:30 a.m.

Study Group 7 deals with time-signal services by means of radiocommunications. The main purpose of the meeting will be a review of documents being prepared for the international meeting of Study Group 7 in 1980.

Members of the general public may attend the meeting and join in the discussions subject to instructions of the Chairman.

Requests for further information should be directed to Mr. Gordon Huffcutt, State Department, Washington, D.C. 20520, telephone (202) 632-2592.

Gordon L. Huffcutt,
Chairman, U.S. CCIR National Committee,
September 27, 1979.

[FR Doc. 79-31127 Filed 10-5-79; 8:45 am]

BILLING CODE 4710-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

Captain of the Port, Portland, Maine; Temporary Control of Portsmouth Vessel Traffic; Cancellation

Notice is hereby given that the Captain of the Port, Portland Order No. 2-79 issued effective 21 July 1979, published on pages 48013 thru 48015 of the Federal Register, Volume 44, No. 160 dated 16 August 1979, was cancelled effective 0900 3 August 1979. The Captain of the Port, Portland, Order No. 2-79 provided emergency directions for vessel traffic within the Port of Portsmouth during the recent tow boat operators strike. This Order was cancelled with the settlement of the tow boat operators strike and the resumption of normal tug boat services within Portsmouth Harbor.

(Pub. L. 95-474 (33 U.S.C. 1223); 49 CFR 1.46(n) (44 FR 10063 2/16/79); 33 CFR 160.35(b))

K. P. Pensom,
Commander, U.S. Coast Guard, Captain of the Port.

August 4, 1979.

[FR Doc. 79-31132 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-14-M

Captain of the Port, Portland, Maine; Temporary Control of Portland Vessel Traffic; Cancellation

Notice is hereby given that the Captain of the Port, Portland Order No. 1-79 issued effective 1200, July 13, 1979, published on pages 48015 and 48016 of the Federal Register, Volume 44, No. 160 dated 16 August 1979, was cancelled effective 1300, August 22, 1979. The Captain of the Port, Portland Order No. 1-79 provided emergency directions for vessel traffic within the Port of Portland during the recent tow boat operators strike. This Order was cancelled with the settlement of the tow boat operators strike and the resumption of normal tug boat services within Portland Harbor.

(Pub. L. 95-474 (33 USC 1223); 49 CFR 1.46(n) (44 FR 10063 February 16, 1979); 33 CFR 160.35(b))

K. P. Pensom,
Commander, U.S. Coast Guard, Captain of the Port.

August 23, 1979.

[FR Doc. 79-31133 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-14-M

Federal Aviation Administration

[Summary Notice No. PE-79-23]

Petitions for Exemption; Summary of Petitions Received and Dispositions of Petitions Issued

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of petitions for
exemptions received and of dispositions
of petitions issued.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I) and of dispositions of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Publication of this notice and any information it contains or omits is not intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before: October 29, 1979.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-24), Petition Docket No. —, 800 Independence Avenue SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION: The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-24), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW, Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on October 1, 1979.

Dewey R. Roark,
Acting Assistant Chief Counsel Regulations
and Enforcement Division.

Petitions for Exemptions

Docket No.	Petitioner	Regulations affected	Description of relief sought
19593	Vieques Air Link, Inc.	14 CFR 135.243	To permit petitioner to use pilots in command who do not hold an Airline Transport Pilot Certificate (ATPC).
19594	Mr. Donald K. Ford, Jr.	14 CFR 135.243(a)	To permit petitioner to serve as a pilot in command for Air Hyannis Commuter Lines until reaching his 23rd birthday without holding an Airline Transport Pilot Certificate (ATPC).
19603	U.S. Air Force	14 CFR 105.33	To perform parachute jumps after sunset (25 minutes after sunset) using day rules. The petitioner submitted the following rationale for the exemption: a. Safety has been and would continue to be paramount. b. Excellent procedures are in effect to control all aspects of the jump operations. c. Air Traffic Control procedures used by Colorado Springs Approach Control, the Academy Tower, the jump aircraft, and the Drop Zone provide extensive coverage. d. Proposed exemption procedures have been used for the past ten years without incident.
19597	Island Airlines Hawaii	14 CFR 135.297	To Allow the petitioner to perform operations under Part 135 without conducting an instrument approach to an ILS and NDB facility.
19601	Aero America, Inc.	14 CFR 121.45(b)(6), 121.360, and 121.521.	To permit petitioner to operate B-707 aircraft N705PA and N714FC on refugee flights from Kuala Lumpur, Malaysia, Bangkok, Thailand, and Hong Kong to U.S.A. West Coast airports.

Petitions for Exemptions—Continued

Docket No.	Petitioner	Regulations affected	Description of relief sought
19604	Donald E. Green	14 CFR 65.91(c)(1)	To allow the petitioner to take the required examinations for an inspection authorization although he has not held his powerplant license continuously for the past 3 years.
19600	Chaffey Community College District	14 CFR 65.77	To permit the petitioner's students who have completed the "general section" of Chaffey College's approved mechanics program to take the general written examination prior to obtaining a graduation certificate.

Dispositions of Petitions for Exemptions

Docket No.	Petitioner	Regulations affected	Description of relief sought—disposition
16784	Houston Helicopters	14 CFR 43.3(h)	To allow petitioner an extension for one year of Exemption No. 2445 which allows its pilots to check and reinstall oil sump magnetic chip detector plugs in the powerplants of the company's Bell 206 Helicopters. <i>Granted 9/20/79.</i>
19394	Viking Int'l Airlines	14 CFR 121.61(c)	To permit petitioner to employ Mr. Gary C. Larson as Director of Maintenance without meeting the requirement for 5 years of experience in the maintenance of large aircraft. <i>Granted 9/19/79</i>

[FR Doc. 79-30844 Filed 10-5-79; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[General Counsel Order No. 4 (Rev.)]

Delegation of Authority to the Assistant General Counsel and Chief Counsel

Under the authority of 26 U.S.C. 7801 and Treasury Department Order No. 190 (Revised), and the authority vested in me as General Counsel of the Treasury, I hereby redelegate to the Chief Counsel for the Internal Revenue Service, subject to my review as occasion may require, the authority set out below:

1. To be the legal advisor to the Commissioner of Internal Revenue and his officers and employees. In performing his assigned functions, the Chief Counsel shall consult with and assist the Commissioner of Internal Revenue with a view to furthering the policies and programs of the Treasury Department and the Internal Revenue Service. Also, where appropriate, the Chief Counsel will furnish assistance to the Office of the Secretary. It is understood that any legal matter involving Treasury policy about which the Commissioner disagrees with the advice given him by the Chief Counsel will be submitted by the Commissioner to the Secretary or the Deputy Secretary for resolution.

2. To furnish legal opinions, and to assist the Commissioner in the preparation and review of rulings, closing agreements, memorandums of technical advice, and revenue rulings and procedures and other proposed

publications or releases, with respect to laws affecting the Internal Revenue Service.

3. To prepare, review, or assist in the preparation of proposed legislation, treaties, regulations, and Executive Orders relating to laws affecting the Internal Revenue Service.

4. To represent the Commissioner of Internal Revenue in cases pending in the Tax Court of the United States as prescribed in section 7452 of the Internal Revenue Code of 1954, and in such cases to exercise the function of decision whether and in what manner to defend, or to prosecute a claim, or to settle, or to abandon a claim or defense therein, subject to Chief Counsel Order 1958-5 (Commissioner Delegation Order No. 60); to acknowledge in the name of the Commissioner the Receipt of Tax Court subpoenas served upon the Commissioner of Internal Revenue; to determine whether, and the extent to which, officers and employees of the Internal Revenue Service shall be permitted to disclose Internal Revenue records and information in response to a subpoena or other order of the Tax Court; to determine whether to acquiesce in the decisions of said Court; to file petitions for review of Tax Court decisions; and to enter into written stipulations of venue for review of Tax Court decisions by a United States Court of Appeals.

5. To determine what civil actions should be brought in the courts under the laws affecting the Internal Revenue Service and to prepare recommendations to the Department of Justice for the commencement of such actions and to authorize or sanction commencement of such actions.

6. To determine whether referred income and wagering tax cases should

be prosecuted in the criminal courts, to make appropriate recommendations to the Department of Justice in the prosecution of such cases and to make a like determination and recommendation on any other case referred to the Chief Counsel by the Commissioner of Internal Revenue.

7. To determine how actions brought in the courts against the United States or officers or employees thereof should be conducted and to make recommendations to the Department of Justice with respect thereto.

8. To determine which court decisions should be appealed or further reviewed and to make recommendations to the Department of Justice with respect thereto.

9. To cooperate with and, at the request of the Department of Justice or of United States Attorneys, to assist in conducting litigation in the courts, both civil and criminal, and in preparing briefs and arguments with respect thereto.

10. To accept or reject in cases wherein the claims of the United States consist solely of Internal Revenue taxes, railroad reorganization plans, corporate reorganization plans, and real property arrangements (sections 77(e), 199, and 455 of the Bankruptcy Act), and municipal debt adjustment plans, reorganization plans, and railroad reorganization plans (sections 901(a), 1126(a), and 1161 of the Bankruptcy Reform Act of 1978).

11. To review cases within the provisions of section 6405 of the Internal Revenue Code of 1954 and to prepare and sign the reports required by that section to be submitted to the Joint Committee on Internal Revenue Taxation.

12. To perform the functions prescribed for the General Counsel by section 7122 of the Internal Revenue Code of 1954 and by section 3469 of the Revised Statutes (31 U.S.C. 194), with respect to compromise matters arising in the administration of the Internal Revenue laws.

13. To supervise and evaluate the work of all officers and employees in the Office of the Chief Counsel, and to take the necessary action in all personnel matters pertaining thereto, including those for the appointment, classification, promotion, demotion, reassignment, transfer or separation of such officers and employees, with the exceptions of appointments of attorneys above GS-11, and of promotions, demotions or separations of attorneys above GS-14.

14. To be responsible to me for the establishment and maintenance of appropriate standards of practice and for the professional competence, recruitment and evaluation of the work of the employees of his office.

15. Subject to my approval, to establish in the Office of the Chief Counsel such divisions and subdivisions as he may deem advisable and to designate the titles and duties of officers and employees in the Office, except that my approval shall not be required to designate the titles and duties of such officers and employees below the grade-16 level.

16. To redelegate any of the authority delegated in this Order to any officer or employee in the Office of the Chief Counsel, and to authorize further re delegation of such authority.

17. To receive service of any subpoena, summons, or other judicial process directed to an officer or employee of the Treasury Department in his official capacity in any litigation.

18. To originally classify national security information or material as CONFIDENTIAL and to downgrade and declassify such information or material and to classify official information under the legends LIMITED OFFICIAL USE or OFFICIAL USE ONLY or under existing legends recognized by that Order and to declassify such information.

19. To administer the oath of office required by 5 U.S.C. 3331 or any other oath required by law in connection with employment in the Federal service, and to redelegate this authority to any officer or employee in the Office of Chief Counsel, Internal Revenue Service.

20. To approve carry-over of annual leave in accordance with the requirements of Pub. L. 93-181, 5 U.S.C. 6304(d), and to redelegate this authority to his next subordinate management

official at headquarters and to the Regional Counsel.

21. To approve requests by attorneys under his jurisdiction to engage in outside employment, the performance of legal or related services, teaching on a part-time basis or similar activity covered by, and not prohibited by, Legal Division Directive No. 6.

22. To make determinations relating to the applicability of section 6103 of the Internal Revenue Code of 1954, including the determination that disclosure would seriously impair Federal tax administration, and to disclose and authorize disclosure of tax returns, tax return information and taxpayer return information pursuant to the provisions of section 6103.

Effective Date: September 26, 1979.

Robert H. Mundheim,

General Counsel.

[FR Doc. 79-31124 Filed 10-5-79; 8:45 am]

BILLING CODE 4310-25-11

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 29139]

**Missouri Pacific Railroad Co.—
Trackage Rights—Over Missouri-
Kansas-Texas Railroad Co. Between
Waco, Tex. and Taylor, Tex.**

Missouri Pacific Railroad Company (MP), 210 North 13th Street, St. Louis, MO 63103, represented by R. H. Stahlheber, Chief Commerce Counsel, Missouri Pacific Railroad Company, 210 North 13th Street, St. Louis, MO 63103, hereby give notice that on the 17th day of September 1979, it filed with the Interstate Commerce Commission at Washington, D.C., and application under 49 U.S.C. § 11343 for a decision approving and authorizing the applicant to operate certain of its trains under trackage rights over trackage of the Missouri-Kansas-Texas Railroad Company for a distance of approximately 76.93 miles between Waco (Bellmead), TX and Taylor, TX, including side and connecting tracks appurtenant thereto. Applicant has its own trackage between the same points, but the sought trackage right route is substantially shorter and will permit significant savings in fuel, engine hours, etc., and will result in generally more efficient operations. MP is presently conducting such operations pursuant to Service Order No. 1387.

In accordance with the Commission's regulations (49 C.F.R. 1108.8) in Ex Parte No. 55 (Sub-No. 4), *Implementation—National Environmental Policy Act 1969*, 352 I.C.C. 451 (1976), any protests

may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall indicate with specific data the exact nature and degree of the anticipated impact. See *Implementation—National Environmental Policy Act, 1969, supra*, at p. 487.

Interested persons may participate formally in a proceeding by submitting written comments regarding the application. Such submissions shall indicate the proceeding designation Finance Docket No. 29139 and the original and two copies thereof shall be filed with the Secretary, Interstate Commerce Commission, Washington, DC 20424, not later than 45 days after the date notice of the filing of the application is published in the Federal Register. Such written comments shall include the following: the person's position, e.g., party protestant or party in support, regarding the proposed transaction; specific reasons why approval would or would not be in the public interest; and a request for oral hearing if one is desired. Additionally, interested persons who do not intend to formally participate in a proceeding but who desire to comment thereon, may file such statements and information as they may desire, subject to the filing and service requirements specified herein. Persons submitting written comments to the Commission shall, at the same time, serve copies of such written comments upon the applicant, the Secretary of Transportation and the Attorney General.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-31057 Filed 10-5-79; 8:45 am]

BILLING CODE 7035-01-14

[Notice No. 174]

Motor Carrier Temporary Authority Applications; Important Notice

September 24, 1979.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized

representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

Note—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

MC 2934 (Sub-38TA), filed August 9, 1979. Applicant: AERO MAYFLOWER TRANSIT CO., INC., P.O. Box 107B, Indianapolis, IN 46206. Representative: James L. Beatty, 130 E. Washington St., Suite 1000, Indianapolis, IN 46204. Mattresses and supporting foundations for mattresses, including box springs, from Indianapolis, IN to points and places in the states of AL, GA, SC, NC, FL, PA, and NY (except points in Bronx, Queens, Kings, Richmond, Nassau and Suffolk Counties, NY and New York City) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): May & Co., Inc., 1925 S. Delaware Street, Indianapolis, IN 46225. Send protests to: Beverly J. Williams, TA, ICC, 46 E. Ohio St., Indianapolis, IN 46204.

MC 8515 (Sub-26TA), filed August 15, 1979. Applicant: TOBLER TRANSFER, INC., Junction Interstate 80 & Illinois 86, Spring Valley, IL 61326. Representative: Leonard Kofkin, 39 S. LaSalle St., Chicago, IL 60603. *Tractors, tractor parts, materials, equipment and supplies used in the manufacture of tractors*, between Rock Island, IL and points in MN for 180 days. An underlying ETA was granted for 90 days. Supporting shipper(s): International Harvester Co., 401 N. Michigan Ave., Chicago, IL 60611.

Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 13134 (Sub-71TA), filed August 20, 1979. Applicant: GRANT TRUCKING, INC., P.O. Box 256, Oak Hill, OH 45656. Representative: James M. Burtch, 100 E. Broad St., Columbus, OH 43215. *Lumber and lumber products* from the facilities of Kimberly-Clark Corp. located at or near Waynesboro, GA (Burke County), to points in IL, IN, KY, MI, OH and points in PA on and west of US Hwy 15, TN and WV for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Kimberly-Clark Corp., 1414 W. Larsen Rd., Neenah, WI 54956. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 14215 (Sub-67TA), filed August 20, 1979. Applicant: SMITH TRUCK SERVICE, INC., P.O. Box 1329, Steubenville, OH 43952. Representative: John L. Alden, 1396 W. Fifth Ave., Columbus, OH 43212. *Ferro Nickel alloy, Electrolytic nickel Cathode, Granular nickel, Cobalt cathodes, copper, except in bulk, in tank vehicles* from Baltimore, MD to Butler, Titusville, Washington, Farrell, Pittsburg, Beaver Falls, Erie, Sharon, Houston, PA, Monroe, NC, Niagara, Utica, Hartford, Buffalo, Watervliet, NY, Dover, Florham Park, Newark, NJ, Huntington, WV, Chicago, Morton Grove, Aurora, Franklin Park, IL, Anderson, Kokomo, IN, Canton, Cleveland, Minerva, Mt. Vernon, OH, Waukesha, WI, Virginia, Minneapolis, Duluth, MN, Bay City, Hamburg, Plymouth, Muskegon, Pontiac, Lansing, Grand Rapids, Livonia, Saline, MI for 180 days. Supporting Shipper(s): Falconbridge U.S. Inc., 7 Parkway Center, Suite 450, Pittsburgh, Pa 15220. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 41915 (Sub-47TA), filed August 20, 1979. Applicant: MILLER'S MOTOR FREIGHT, INC., 1060 Zinn's Quarry Rd., York, PA 17405. Representative: S. Harrison Kahn, 1511-K St. NW., Washington, DC 20005. *Flat glass, in containers*, from facilities of PPG Industries, Inc. at or near Kebert Park, PA, to Ports of Baltimore, MD; Philadelphia, PA; and those in New York, NY Commercial Zone, restricted to shipments having a subsequent movement by water and *empty containers*, from Ports of Baltimore, MD and Philadelphia, PA, and those in New York, NY Commercial Zone to the facilities of PPG Industries, Inc. at or near Kebert Park, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): PPG Industries, Inc., 1 Gateway Center, Pittsburgh, PA

15222. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 52914 (Sub-1TA), filed June 26, 1979. Applicant: FITCHETT TRUCK LINES, INC., P.O. Box 10799, 3641 N.W. Front Ave., Portland, OR 97210. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. *Blasting grit and slag* from points in Douglas, Lane, Linn and Benton Counties, OR to Portland, OR, restricted to the transportation of traffic having a prior or subsequent movement by water. For 180 days. Applicant proposes to interline with other carriers at Portland. Supporting Shipper(s): Hawaiian Marine Lines, Inc., P.O. Box 2287, Seattle, WA 98111. Send protests to: R. V. Dubay, DS, ICC, 114 Pioneer Courthouse, Portland, OR 97204.

MC 52914 (Sub-2TA), filed July 19, 1979. Applicant: FITCHETT TRUCK LINES, INC., P.O. Box 10799, 3641 N.W. Front Ave., Portland, OR 97210. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. *Horsemeat* from Redmond, OR to Portland, OR, for 180 days. An underlying ETA seeks 90 days authority. Applicant does intend to interline with other carriers. Supporting Shipper(s): Burlington Northern Airfreight, 6821 N.E. 82nd, Portland, OR. Orio Meat Co., Inc., 1607 S.W. Railroad Ave., Redmond, OR 97756. Send protests to: R. V. Dubay, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, OR 97204.

MC 56244 (Sub-88TA), filed July 27, 1979. Applicant: KUHN TRANSPORTATION CO., INC., P.O. Box 98, R.D. #2, Gardners, PA 17324. Representative: John M. Musselman, P.O. Box 1146, 410 N. Third St., Harrisburg, PA 17108. *Such merchandise as is dealt in by grocery and food business houses (except commodities in bulk)* from the facilities of Hunt-Wesson Foods, Inc. at Chicago, IL to Dayton, McComb, and Rossford, OH for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Hunt-Wesson Foods, Inc., 1645 W. Valencia Dr., Fullerton, CA 92634. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 58035 (Sub-23TA), filed 8/31/79. Applicant: TRANS-WESTERN EXPRESS, LTD., 48 East 56th Avenue, Denver, CO 80216. Representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. (1) *Household Electric Appliances and Equipment; Oral Hygiene Appliances and Equipment; Hydrotherapy Equipment; sink and*

shower fixtures; smoke alarms; food processing machines; filters; (2) Materials, equipment and supplies used in manufacture and distribution of the commodities named in (1) above; between facilities of Teledyne Water Pik at points in Larimer County, CO, on the one hand, and, on the other, points in Minnesota, for 180 days. An underlying ETA seeks authority for 90 days. Supporting Shipper(s): Teledyne Water Pik, 1730 E. Prospect, Fort Collins, CO 80525. Send protests to: District Supervisor R. L. Buchanan, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202.

MC 59655 (Sub-28TA), filed August 16, 1979. Applicant: SHEEHAN CARRIERS, INC., 62 Lime Kiln Road, Suffern, N.Y., 10901. Representative: George A. Olsen, P.O. Box 357, Gladstone, N.J. 07934. Glass and Plastic Containers, (1) From Volney, NY to Merrimack, NH; and (2) From Milford, Ct., to Solvay, NY., for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Owens-Illinois, Inc., P.O. Box 1035, Toledo, Ohio, 43666. Send protests to: Marvin Kampel, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y., 10007.

MC 85934 (Sub-109TA), Filed August 8, 1979. Applicant: MICHIGAN TRANSPORTATION COMPANY, 3601 Wyoming, P.O. Box 248, Dearborn, MI 48120. Representative: Edwin M. Snyder, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. Cement, from the facilities of Penn-Dixie Industries at or near Petoskey, MI to points in the States of MN, MS, MO, NE, KS, IA, OK, AR, SD. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Penn-Dixie Industries, Inc., P.O. box 152, Nazareth, PA 18084. Send protests to: C. R. Flemming D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 94265 (Sub-317TA), Filed August 20, 1979. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305—Route 460 West-Windsor, VA 23487. Representative: Clyde W. Carver, P.O. Box 72434, Atlanta, GA 30328. Meats, meat products, meat by-products, and articles distributed by meat packinghouses, as described in Appendix I to the Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) from the facilities of Swift & Co. at Rochelle, IL, to AL, FL, GA, MS, NC, SC, and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Swift & Co., 115 W. Jackson Blvd., Chicago, IL 60604. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm 620, Phila., PA 19106.

MC 96324 (Sub-35TA), Filed July 25, 1979. Applicant: GENERAL DELIVERY, INC., P.O. Box 1816, Fairmont, WV 26554. Representative: Harold G. Hernly, Jr., 110 S. Columbus St., Alexandria, VA 22314. Malt beverages and empty malt beverage containers, between Newport, KY, Evansville, IN and Baltimore, MD and their respective commercial areas, on the one hand, and, on the other points in WV and PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): G. Heileman Brewing Co., Inc., 1001-31 S. 3rd St., LaCrosse, WI 54602. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 106074 (Sub-125TA), Filed August 23, 1979. Applicant: B & P MOTOR LINES, INC., Shiloh Rd and US Highway 221 South, Forest City, NC 28043. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Household appliances from Fort Dodge, IA to points in AL, AR, AZ, CA, FL, GA, KS, LA, MS, MO, NV, NM, NC, OK, OR, SC, TN, TX and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Webster City Products Company, 600 Stockdale St., Webster City, IA 50595. Send protests to: Sheila Reece, Transportation Assistant, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.

MC 111375 (Sub-116TA), filed July 30, 1979. Applicant: PIRKLE REFRIGERATED FREIGHTS LINES, INC., P.O. Box 3358, Madison, WI 53704. Representative: Elaine Conway, 10 S. LaSalle St., Chicago, IL 60603. Inedible beef and animal offal products, from Greeley, CO to Jefferson, WI, for 180 days. Supporting shipper(s): J. R. Nylen Ltd., R.R. 1, Sgt. Bluff, IA. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 113434 (Sub-138TA), filed June 5, 1979. Applicant: GRA-BELL TRUCK LINE INC., A-5253 144th Avenue, Holland, MI 49423. Representative: Roger Van Wyk, A-5253 144th Avenue, Holland, MI 49423. (1) Charcoal, charcoal briquets, wood chips & sawdust and wax impregnated fireplace logs (except commodities in bulk); (2) materials, equipment & supplies used in the manufacture, sale and distribution of (1); between the facilities of the Kingsford Company at or near Burnside, KY on the one hand, and on the other, points in IL, IN, MI, OH, PA, WI, restricted to the transportation of shipments moving to and from named origins and destinations. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Kingsford Company, 1700

Commonwealth Building, KY 40201. Send protests to: C. R. Flemming, D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 113434 (Sub-144TA), filed August 3, 1979. Applicant: GRA-BELL TRUCK LINE INC., A-5253 144th Avenue, Holland, MI 49423. Representative: Roger Van Wyk, A-5253 144th Avenue, Holland, MI 49423. Glass containers and accessories from Gurnee, IL to Memphis, Bridgeport, Imlay City, MI. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Anchor Hocking Corp., 109 North Broad Street, Lancaster, OH 43130. Send protests to: C. R. Flemming, D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 14084 (Sub-18TA), filed May 29, 1979. Applicant: S AND S TRUCKING COMPANY, P.O. Box 1546, Statesville, NC 28677. Representative: Francis J. Ortman, 7101 Wisconsin Avenue, Suite No. 605, Washington, D.C. 20014. New furniture, from points in (1) Forsyth, Randolph, and Rowan Counties, NC to points in ME, NH, and VT, and (2) from points in Alexander, Burke, Caldwell, Catawba, Cleveland, Davidson, Davie, Forsyth, Guilford, Iredell, Lincoln, McDowell, Randolph, Rowan, and Wilkes Counties, NC to CT, MA and RI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fifteen (15) shippers. Send protests to: Terrell Price, DS, 800 Briar Creek Road, Room CC-516 Mart Office Building, Charlotte, NC 28205.

MC 114284 (Sub-82TA); filed August 17, 1979. Applicant: FOX-SMYTHE TRANSPORTATION CO., 1700 S. Portland, P.O. Box 82307, Oklahoma City, OK 73108. Representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. Meats, meat by-products, and articles distributed by meat packinghouses, as described in Sections A, B and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, (except hides and skins and commodities in bulk), from the facilities of Wilson Foods Corp. at Omaha, NE, to all points and places in OK and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wilson Foods Corporation, 4545 Lincoln Blvd., Oklahoma City, OK 73105. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 116544 (Sub-176TA); filed August 31, 1979. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: R. G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. (1) Malt beverages and related advertising materials and (2) materials,

equipment, and supplies used in the manufacture of malt beverages, commodities in (1) above from Albany, GA to AR, FL, IL, IA, KS, LA, MN, MS, MO, OK, TX and WI; commodities in (2) above from AR, FL, IL, IA, KS, LA, MN, MS, MO, OK, TX and WI to Albany, GA, for 180 days. Supporting shipper(s): Miller Brewing Company, 3939 W. Highland Blvd., Milwaukee, WI 53208. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 120924 (Sub-10TA), filed August 16, 1979. Applicant: B & W CARTAGE CO., 2932 West 79th Street, Chicago, IL 60652. Representative: Carl Steiner, 39 South LaSalle Street, Chicago, IL 60603. *Iron and steel articles*, between Venice, IL and Union, MO., for 180 days. An underlying ETA seeks 90 days authority. Applicant will interline with other carriers at Venice, IL with Illinois Central Gulf Railroad. Supporting shipper(s): Illinois Central Gulf Railroad, 233 North Michigan, Chicago, IL 60601. Send protests to: Annie Booker, TA, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 123254 (Sub-5TA), filed August 13, 1979. Applicant: ALBERT PITZER AND JANE PITZER, d.b.a. PITZER BROTHERS, P.O. Box 633, Jeannette, PA 15644. Representative: Jeremy Kahn, S. Harrison Kahn, Attorneys at Law, Kahn and Kahn, Suite 733 Investment Building, 1511 K Street, N.W., Washington, D.C. 20005. Malt beverages and related advertising material from the facilities of Joseph Schlitz Brewing Company at Radisson, NY to points in Allegheny, Clearfield, Fayette, Somerset, Washington and Westmoreland Counties, PA and empty malt beverage containers on return for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Six (6) shippers. Send protests to: J. J. England, D/S, I.C.C., 2111 Federal Building, Pittsburgh, PA 15222.

MC 128205 (Sub-86TA), filed August 9, 1979. Applicant: BULKMATIC TRANSPORT COMPANY, 12000 South Doty Avenue, Chicago, IL 60628. Representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, IL 60601. *Lime and limestone products*, in bulk, between Branchton, PA, on the one hand, and, on the other, Carntown, KY and all points in OH for 180 days. Supporting shipper(s): Mercer Lime and Stone Co., Suite 3619, William Penn Place, Pittsburgh, PA 15219. Send protests to: Annie Booker, TA, 219 South Dearborn Street, Chicago, IL 60604.

MC 128685 (Sub-30TA), filed August 9, 1979. Applicant: DIXON BROS., INC., P.O. Drawer No. 8, Newcastle, WY

82701. Representative: Floyd E. Archer, P.O. Box 1794, Sioux Falls, SD 57101. *Iron and steel articles*, from the facilities of Nucor Corporation at or near Norfolk, NE to Billings, Bozeman, Great Falls, Missoula, MT; Aberdeen, Rapid City, Sioux Falls, Watertown, Yankton, SD, and Casper, Cheyenne, Gillette and Rawlins, WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Nucor Corporation, P.O. Box 309, Norfolk, NE 68701. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Rm. 105, Federal Bldg. & Crt. House, 111 South Wolcott, Casper, WY 82601.

MC 129704 (Sub-3TA), filed August 8, 1979. Applicant: CLARENCE B. BLANKENSHIP, d.b.a. TROY CAB CO., 2136 Burdic, Troy, MI 48084. Representative: Robert E. McFarland, 999 W. Big Beaver Road, Suite 1002, Troy, MI 48084. *Auto parts and materials, supplies, equipment and related articles* used in the manufacture and production of motor vehicles. Restricted to the movement of shipments not exceeding 1,500 pounds in weight from one consignor to one consignee in a single day, between points in Wayne, Macomb, Oakland, St. Clair, Washtenaw, Monroe and Ionia Counties, MI, on the one hand and on the other, the facilities of TRW, Inc., located in Greenville, NC. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): TRW, Inc., 34201 Van Dyke, Sterling Hts., MI 48929. Send protests to: C. R. Flemming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

MC 129704 (Sub-4TA), filed August 8, 1979. Applicant: CLARENCE B. BLANKENSHIP, d.b.a. TROY CAB CO., 2136 Burdic, Troy, MI 48084. Representative: Robert E. McFarland, 999 W. Big Beaver Road, Suite 1002, Troy, MI 48084. *Auto parts and materials, supplies, equipment, and related articles* used in the manufacture and production of motor vehicles. Restricted to the movement of shipments not exceeding 1,500 pounds in weight from one consignor to one consignee in a single day. Between the facilities of the Michigan Division to the Automotive Group, TRW, Inc., located in Macomb County, MI, on the one hand and on the other, points in IN, IL, TN and KY. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): TRW, Inc., 34201 Van Dyke, Sterling Hts., MI 48929. Send protests to: C. R. Flemming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

MC 133095 (Sub-270TA), filed July 30, 1979. Applicant: TEXAS

CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, TX 76039. Representative: Marshall Kragen, 1835 K Street, Suite 600, Washington, D.C. 20006. *Building products and materials, equipment, and supplies used in the manufacture and distribution of the foregoing commodities*, from Lodi, OH; Franklin Park, IL; Tucker and Tifton, GA; Fort Worth, TX; and Madera, CA, to points in the U.S. (except AK & HI), for 180 days. Supporting shipper(s): Questor Corporation, Leslie-Locke Division, One John Goerlich Square, Toledo, OH 43694. Send protests to: Martha A. Powell, TCS, I.C.C., Room 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 133324 (Sub-5TA), filed August 30, 1979. Applicant: CAR CARRIERS, INC., 13101 S. Torrence Ave., Chicago, IL 60633. Representative: Anthony Young, 29 S. LaSalle St., Chicago, IL 60603. *Motor vehicles (except trailers) in initial movements*, from Battle Creek, MI to points in the U.S. (except AK and HI) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Model A & Model T Reproduction Corp., Suite 1460, Renaissance Center, Detroit, MI 48243. Send protests to: Cheryl Livingston, TA, ICC, 219 S. Dearborn, Rm 1386, Chicago, IL 60604.

MC 133655 (Sub-158TA), filed May 31, 1979. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 31300, Amarillo, TX 79120. Representative: Warren L. Troupe, 2480 E. Commercial Blvd., Fort Lauderdale, FL 33308. *Plastic containers, and equipment, materials, and supplies* used in the manufacture and distribution thereof (except in bulk) between the facilities of The Continental Group, Inc. at Olive Branch, MS and Memphis, TN on the one hand, and, on the other, Brownsville, TN; Madisonville, Elizabethtown, Lexington, and Louisville, KY; New Orleans and Reserve, LA; Dothan, AL; Lenexa, KS; and Houston, San Antonio, Corpus Christi, Hallettsville, Longview, Dallas, and Abilene, TX, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days operating authority. Supporting shipper: Continental Group, Plastic Beverage Bottles, 4 Landmark Square, Suite 130, Stamford, CT 06901 (LaVerne W. Myers). Send protests to: Ms. Martha Powell, Interstate Commerce Commission, Room 9A27, Federal Building, 819 Taylor Street, Fort Worth, TX 76120.

MC 133655 (Sub-180TA), filed August 7, 1979. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 31300, Amarillo, TX 79120. Representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, WI 54306. *Such commodities as are dealt in*

or used by manufacturers and distributors of floor coverings, between Landisville and Marietta, PA, on the one hand, and, on the other, Dallas, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Adleta Corporation, 1914 Cedar Springs Dr., Dallas, TX 75201. Send protests to: Martha A. Powell, TCS, I.C.C., Room 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 135524 (Sub-27TA), filed August 24, 1979. Applicant: G.F. TRUCKING COMPANY, 1028 W. Rayen Ave., P.O. box 229, Youngstown, OH 44501. Representative: George Fedorisin, 914 Salt Springs Rd., Youngstown, OH 44509. *Iron and steel articles and equipment, materials, and supplies used in the manufacture and distribution of iron and steel articles between the facilities of North Star Steel Corp. at or near Newport, MN, on the one hand, and, on the other, points in CT, DE, DC, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VA, VT, WV, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): North Star Steel Co., P.O. Box 43189, St. Paul, MN 55164. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.*

MC 135605 (Sub-6TA), filed August 20, 1979. Applicant: WILKINSON TRANSPORT, INC., P.O. Box 25, Barton, AR 72312. Representative: R. Connor Wiggins, Jr., 100 North Main Bldg., Suite 909, Memphis, TN 38103. *Agricultural pesticides and surfactants and ingredients thereof (except in bulk in tank vehicles), from facilities of Drexel Chemical Company at Memphis, TN and Tunica, MS, to LA, AR, MS (from Memphis only), TX, AL, MO, KY, PA, MD, VA, NC, SC, KS, IL, IA and GA, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Drexel Chemical Company, P.O. Box 9308, Memphis, TN 38109. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.*

MC 135824 (Sub-2TA), filed August 10, 1979. Applicant: J. BERNARD KLAPEC, R.D. No. 1, 673 N. Seneca Street, Oil City, PA 16301. Representative: Robert Y. Daniels, Esquire, 314 West Park St., Franklin, PA 16323. *Iron and steel, iron and steel articles and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles, between Oil City, PA on the one hand, and, on the other, Newbury Park, Ventura, Van Nuys, Gardena, Santa Fe Springs, Emeryville, West Los Angeles, Torrance, Port Hueneme, Los Angeles, Whittier and Santa Clara, CA; Phoenix, AZ; and Pensacola, FL for 180*

days. An underlying ETA for 90 days has been sought. Applicant does intend to tack this authority with authority it presently holds in MC-135824. Supporting shipper(s): Electralloy Corporation, 175 Main Street, Oil City, PA 16301. Send protests to: J.J. England, D/S, Interstate Commerce Commission, 2111 Federal Building, Pittsburgh, PA 15222.

MC 136385 (Sub-10TA), filed August 16, 1979. Applicant: HALL WAY, INC., P.O. Box 22, Ankeny, IA 50021. Representative: Elaine M. Conway, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses, (except hides and commodities in bulk) from the facilities used by Iowa Beef Processors, Inc. at or near Dakota City, NE, to points in FL, for 180 days. Supporting shipper(s): Iowa Beef Processors, Inc., Dakota City, NE 68731. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.*

MC 138875 (Sub-231TA), filed May 24, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). Such products as are dealt in by wholesale and retail drug and discount stores, except commodities, in bulk, from Long Beach, CA; Chamblee, GA; Antioch, IL; Minneapolis, MN; Poplar Bluff, MO; Newton & Swannanoa, NC; Elizabeth, Kerney & Pennsauken, NJ; Brooklyn, NY; Columbus, OH; Cheswick, PA; Richardson, TX; and Siren, WI and their respective commercial zones to the facilities used by Foremost-McKesson, Inc. and its subsidiary companies located at Los Angeles, CA; Denver, CO; Smyrna, GA; Bedford Park, IL; Albany, NY; Grand Prairie, TX; and Portland, OR and their respective commercial zones, for 180 days, in common carriage. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Foremost-McKesson, Inc. and Valu-Rite Pharmacies, Inc., Crocker Plaza, San Francisco, CA 94104. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-232TA), filed August 17, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Such commodities as are dealt in by distributors of office equipment and supplies, from points in CA to the facilities of Southworth, Incorporated in ID, for 180 days. (Restricted to the transportation of traffic originating at the named origins and destined to the indicated destinations.) An underlying*

ETA seeks 90 days authority. Supporting Shipper(s): Southworth, Inc., P.O. Box 6768, Boise, ID 83701. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-233TA), filed August 22, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). (1) *Chemicals; (2) materials and supplies used in the manufacture, installation & distribution of roofing & energy conserving products from points in CA to points in ID, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Western Wholesale & Supply Corp. of Boise, 2717 Fletcher, Boise, ID 83702. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.*

MC 138875 (Sub-234TA), filed August 10, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Ground clay (diatomaceous earth), except commodities in bulk, from points in Deschutes, Harney, Klamath and Lake Counties, OR to CA, CO, ID, MT, NV, UT, WA & WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Oil-Dri Corporation of America, 520 North Michigan Ave., Chicago, IL 60611. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.*

MC 138875 (Sub-235 TA), filed August 10, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). Such products as are dealt in by tile, floor, ceiling, wall and counter covering distributors, except commodities in bulk, from the facilities of Mannington Mills located at or near Salem, NJ to Salt Lake City, UT and Las Vegas, NV, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Robison Dist. Co., Inc., P.O. Box 2309, Salt Lake City, UT 84110. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 138875 (Sub-236TA), filed August 10, 1979. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Road, Boise, ID 83705. Representative: F. L. Sigloh (same as above). *Building materials, (roofing, aluminum, etc.), from Portland, OR and its commercial zone to points in Ada County, ID, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Guerdon Industries, Inc., 5556 E. Federal Way, Boise, ID 83705. Send protests to:*

Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 139234 (Sub-7TA), filed August 24, 1979. Applicant: BRUCE'S TRANSPORT SERVICE, INC., 5721 North Ventura Avenue, Ventura, California 90031. Representative: Patricia M. Schnegg of Knapp, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, California 90017. *Contract; Irregular; drilling mud compound*, between Butte County, Sacramento County, Kern County, Ventura County and Los Angeles County; California, on the one hand, and on the other, Lander County, Humboldt County, Clark County, and Lincoln County, Nevada, for 180 days, an underlying ETA seeks up to 90 days operating authority. Supporting Shipper(s): Magcobar, Area Distribution Manager, 3295 Telegraph Road, Ventura, California 93003. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 139234 (Sub-8TA), filed August 24, 1979. Applicant: TRUCE'S TRANSPORT SERVICE, INC., 5721 North Ventura Avenue, Ventura, California 90031. Representative: Patricia M. Schnegg of Knapp, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, California 90017. *Contract; Irregular; drilling mud compound*, between California, on the one hand, and on the other, Lander County, Humboldt County, Clark County and Lincoln County, Nevada, for 180 days. Supporting Shipper(s): Magcobar, Area Distribution Manager, 3295 Telegraph Road, Ventura, California 93003. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 139395 (Sub-7TA), filed July 30, 1979. Applicant: BULK TRANSIT CORPORATION, 7177 Industrial Parkway, Plain City, OH 43064. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. *Vegetable oils, vegetable oil shortenings*, in bulk, in tank vehicles, from the facility of Capital City Products Co. at Columbus, OH to points in the United States and *materials and supplies used in the manufacture of vegetable oils and vegetable oil shortening*, in bulk, in tank vehicles, from the destination named above to the facility of Capital City Products Co. at Columbus, OH, for 180 days. Supporting shipper(s): Capital City Products Co., Div. of Stokley-Van Camp, Inc. 525 W. First Ave., Columbus, OH 43216. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 139485 (Sub-18TA), filed August 23, 1979. Applicant: TRANS CONTINENTAL CARRIERS, 169 East

Liberty Avenue, Anaheim, California 92803. Representative: David P. Christianson of Knapp, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, California 90017. *Contract; irregular; (1) Polyester body filler, polishing and cleaning compounds, tools, parts and accessories, buffing pads, cleaning cloths, putty and paint; and (2) Materials, supplies and equipment utilized in the production or manufacture of the items set out in (1) above*, (1) between points in Tuscawawas County, OH and points in the United States; (2) between points in Stark County, OH, on the one hand, and on the other points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New Jersey, New York, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi, Tennessee, Kentucky, Ohio, Michigan, and Rhode Island; and (3) from points in Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Arizona, Utah, Nevada, Washington, Oregon, New Mexico, Colorado, Idaho and California, to points in Stark County, OH, for 180 days. Supporting shipper(s): U.S. Chemical & Plastics Company, Traffic Manager, 1446 Tuscawawas West Street, Canton, Ohio 44706. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 139555 (Sub-4TA), filed April 6, 1979. Applicant: MODULAR TRANSPORTATION CO., P.O. Box 1822, Grand Rapids, MI 49501. Representative: William D. Parsley, 1200 Bank of Lansing, Building, Lansing, MI 48933. *Gypsum, gypsum products and materials and supplies used in the installation and distribution of gypsum products*. From the facilities of Georgia-Pacific Corporation at Grant Rapids, MI to points in OH, IL, and IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Georgia-Pacific Corporation—Gypsum Division, 1062 Lancaster Avenue, Rosemont, PA 19010. Send protests to: C. R. Flemming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

MC 139555 (Sub-7TA), filed August 10, 1979. Applicant: MODULAR TRANSPORTATION CO., P.O. Box 1822, Grand Rapids, MI 49501. Representative: William D. Parsley, 1200 Bank of Lansing Bldg., Lansing, MI 48933. *Building Materials*; from Chicago Commercial Zone to plant site of Georgia-Pacific Corporation at Grand

Rapids, MI. For 180 days. An Underlying ETA seeks 90 days authority. Supporting shipper(s): Georgia-Pacific Corp., 825 Buchanan Ave., SW., Grand Rapids, MI 49507. Send protests to: C. R. Flemming, D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 139615 (Sub-28TA), filed April 26, 1979. Applicant: D.R.S. TRANSPORT, INC., P.O. Box 29, Oskaloosa, IA 52577. Representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. *Silica sand with additives*, from Oregon, IL to points in IA, KS, NE, CO, WY, MT, ID, UT, NV, CA, OR, and WA for 180 days. Supporting shipper(s): Acme Resin Corp., P.O. Box 130, Oregon, IL 61061. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 140024 (Sub-160TA), filed August 15, 1979. Applicant: J. B. MONTGOMERY, INC., 5565 E. 52nd Avenue, Commerce City, CO 80022. Representative: Don I. Bryce (same address as above). (1) Metal and metal articles, from points in MI, NJ, NY, OH and PA to points in CO, IA, NE, and UT; (2) chemicals, from points in MI, NJ, and OH to points in CO and KS; (3) alcoholic beverages, from points in IN and MI to points in CO; (4) foodstuffs, from points in IN, MI, and NY to points in CO, KS, and IL; (5) paper and paper articles, from points in OH to points in CO; (6) refractories and refractory material; from points in PA and OH to points in CO. Restriction, the commodities described in all of the above are restricted against commodities in bulk, or 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): 11 Supporting shippers. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 140294 (Sub-6TA), filed July 24, 1979. Applicant: GENERAL FREIGHTS, INC., P.O. Box 1946, Middleburg Pike, Hagerstown, MD 21740. *Glassware, glass ceramic ware, laminated glassware and electrical appliances, and parts and accessories therefor*, between the facilities of Corning Glassware, at or near Greencastle, PA and Baltimore, MD and Washington, DC, and their respective commercial zones, restricted to traffic having a prior or subsequent movement by water or rail, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Corning Glass Works, Box 158, Corning, NY 14830. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 140605 (Sub-4TA), filed August 10, 1979. Applicant: OHIO OIL GATHERING CORP., Chilton Bldg., Suite 400, 201 King of Prussia Rd.,

Radnor, PA 19087. Representative: Walter R. Hall II, 2321A The Fidelity Bldg., Philadelphia, PA 19109. *Contract; Irregular: petroleum in bulk*, from points in Wood and Pleasants Counties, WV to points in Carroll, Coshocton, Fairfield, Hocking, Holmes, Knox, Licking, Morgan, Muskingum, Perry, Stark, Washington, and Wayne Counties, OH; for continuing transport by pipeline, rail or water to points in PA and WV for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ohio Oil Gathering Corp. II, Chilton Bldg., Suite 400, 201 King of Prussia Rd., Radnor, PA 19087. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19108.

MC 140615 (Sub-49TA); filed August 27, 1979. Applicant: DAIRYLAND TRANSPORT, INC., P.O. Box 1116, Wisconsin Rapids, WI 54494. Representative: Dennis Brown (same address as applicant). *Foodstuffs* from Plover, WI to points on and east of ND, SD, NE, CO, OK, & TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Great American Basic Commodities, One Great American Way, Plover, WI 54467. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 140835 (Sub-18TA); filed July 24, 1979. Applicant: ADAMS LINES, INC., 2619 "N" Street, Omaha, NE 68107. Representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, IA 51104. *Meats, meat products, meat-by-products and articles distributed by meat packinghouses as described in Sections A, C and D of Appendix I to the report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles)* between Britt and Mason City, IA, on the one hand, and on the other, points in the U.S. in and east of ND, SD, NE, OK, CO and TX for 180 days. An underlying ETA seeks 90 days authority. Restricted to shipments originating at or destined to the facilities utilized by Lauridsen Foods, Inc. at or near Britt, IA and Armour & Co. at Mason City, IA. Supporting shipper(s): Armour and Company, Greyhound Tower, Phoenix, AZ 85077. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 141205 (Sub-23TA); filed August 13, 1979. Applicant: HUSKY OIL TRANSPORTATION COMPANY, 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James M. Elegante, P.O. Box 11898, Salt Lake City, UT 84147. Contract carrier, irregular routes, *Crude oil, Scrubber oil*

and condensate, from Trap Springs, Nye Co., NV to Gary Western Refinery near Fruita, CO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Husky Oil company, 600 South Cherry St., Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141205 (Sub-24TA); filed August 13, 1979. Applicant: HUSKY OIL TRANSPORTATION COMPANY, 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James M. Elegante, P.O. Box 11898, Salt Lake City, UT 84147. Contract carrier, irregular routes, *Crude oil, Scrubber oil and condensate*, from Richland, Roosevelt, McCone, Prairie, and Wibaux Counties, MT, to pipeline injection station on Portal Pipeline near Stanley, ND, Butte Pipeline injection station near Baker, MT and Donkey Creek Pipeline injection station near Gillette, WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Husky Oil Company, 600 South Cherry St., Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141205 (Sub-25TA), filed August 13, 1979. Applicant: HUSKY OIL TRANSPORTATION COMPANY, 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James M. Elegante, P.O. Box 11898, Salt Lake City, UT 84147. Contract carrier, irregular routes, *Crude oil, scrubber oil and condensate*, from points in Fall River, Harding and Perkins Counties, SD, to Bower Station of Continental Pipeline near Douglas, WY, Butte Pipeline Station near Baker, MT, and Donkey Creek Station of Belle Fourche Pipeline near Gillette, WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Husky Oil Company, 600 South Cherry Street, Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141205 (Sub-26TA), filed August 15, 1979. Applicant: HUSKY OIL TRANSPORTATION COMPANY, 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James M. Elegante, P.O. Box 11898, Salt Lake City, UT 84147. Contract carrier, irregular routes. *Crude oil, scrubber oil, and condensate*, from points in Lane County, KS, to the Arapahoe Pipeline injection station near Anton, CO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Husky Oil Company, 600 South Cherry Street, Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141205 (Sub-27TA), filed August 15, 1979. Applicant: HUSKY OIL TRANSPORTATION COMPANY, 600 South Cherry Street, Denver, CO 80222. Representative: F. Robert Reeder and James M. Elegante, P.O. Box 11898, Salt Lake City, UT 84147. Contract carrier, irregular routes. *Crude oil, scrubber oil and condensate*, from the Roughrider oil field near Dickinson, ND to the Reserve station of Portal Pipeline near Poplar, MT, and the Kenco Refinery at Wolf Point, MT, for 180 days. An underlying ETA seeks authority for 90 days. Supporting shipper(s): Husky Oil Company, 600 South Cherry Street, Denver, CO 80222. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 141804 (Sub-261TA), filed August 14, 1979. Applicant: WESTERN EXPRESS, DIVISION OF INTERSTATE RENTAL, INC., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman, P.O. Box 3488, Ontario, CA 91761. Electrical sending, receiving and transmitting equipment and parts and accessories and displays, from Los Angeles and Orange Counties, CA to points in AZ, CO, ID, KS, NE, MT, NV, NM, OK, OR, SD, TX, UT, WA and WY, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Symphonic Electronic Corporation, 1082 E. Del Amo Blvd., Carson, CA 90748. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 141804 (Sub-262TA), filed August 23, 1979. Applicant: WESTERN EXPRESS, Division of Interstate Rental, Inc., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (Same Address As Applicant). *Electrical sending and receiving equipment*, from Nogales, AZ and its commercial zone to points in NJ, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Tenva, Inc., P.O. Box 1581, Nogales, AZ 85621. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 142084 (Sub-2TA), filed August 6, 1979. Applicant: CAROLINA CARPET CARRIERS, INC., P.O. Box 6, Williamston, SC 29397. Representative: Mitchell King, Jr., P.O. Box 1628, Greenville, SC 29802. *Contract Carrier; irregular routes; (1) Floor covering and materials and supplies used in the installation, manufacture, packaging and sale of floor covering* from the facilities of Bigelow-Sanford, Inc. in GA and SC to points in the United States west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of

Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the United States and Canada; (2) Materials, equipment, and supplies used in the manufacture, installation, packaging and distribution of floor covering, between the facilities of Bigelow-Sanford, Inc. in Georgia and South Carolina under a continuing contract or contracts with Bigelow-Sanford, Inc., for 180 days. Supporting shipper(s): Bigelow-Sanford Incorporated, P.O. Box 3089, Greenville, SC 29602. Send protests to: E. E. Strotheid, D/S, ICC, Rm: 302, 1400 Building, 1400 Pickens St., Columbia, SC 29201.

MC 142245 (Sub-2TA), filed August 14, 1979. Applicant: NATIONWIDE TRUCK BROKERS, INC., 2101 Martindale SW., Grand Rapids, MI 49509. Representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, MI 49503. *Contract Carrier*: irregular routes: *Frozen potato products*, in mechanically refrigerated vehicles (this application is restricted to the transportation of these commodities in mechanically refrigerated vehicles and against the transportation of commodities in bulk) between the facilities of Mid-America Potato Company at or near Grand Rapids, MI; Lake Odessa, MI; Martin, MI and Muskegon, MI, on the one hand, to various points in the continental United States on the other. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mid-America Potato Company, 2140 Chicago Drive SE., P.O. Box 2604, Grand Rapids, MI 49509. Send protests to: C. R. Flemming, D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 142935 (Sub-6TA), filed August 16, 1979. Applicant: PLASTIC EXPRESS, 2999 La Jolla Street, Anaheim, California 92806. Representative: Richard C. Celio, 1415 West Garvey Avenue, West Covina, California 91790. *Fruit juices and apple products (except liquids in bulk)*, from the facilities of Tree Top, Inc., Cashmere, Washington; Selah, Washington; and, Wenatchee, Washington and points in their respective commercial zones, to Arizona and California, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Tree Top, Incorporated, Traffic Manager, P.O. Box 248, Selah, Washington 98942. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, CA 90053.

MC 142935 (Sub-7TA), filed August 27, 1979. Applicant: PLASTIC EXPRESS, 2999 La Jolla Street, Anaheim, California 92806. Representative: Richard C. Celio,

1415 West Garvey Avenue, Suite 102, West Covina, California 91790. *Foodstuffs*, from points in Los Angeles County, California to points in New Mexico, Texas, and Oklahoma. (Restricted to the traffic of Rod's Food Products, Inc.), for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Rod's Food Products, Inc., Director of Operations, 17380 Railroad Street, City of Industry, California 91748. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 143594 (Sub-18TA), filed July 17, 1979. Applicant: NATIONAL BULK TRANSPORT, INC., Suite 13, 624 Holcomb Road, Roswell, GA 30077. Representative: Warren L. Troupe, 2480 E. Commercial Blvd., Ft. Lauderdale, FL 33308. *Liquid amorphous polypropylene, in bulk, in tank vehicles* from Cedar Bayou, TX to Crowley, LA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hercules Inc., 3169 Holcomb Bridge Road, Suite 700, Norcross, GA 30071. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., NW., Rm. 300, Atlanta, GA 30309.

MC 143775 (Sub-107TA), filed August 28, 1979. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (same address as applicant). (1) *Plastic and plastic articles and (2) materials and supplies used in the manufacture, sale and distribution thereof*, (1) from City of Industry, CA to points in the United States, (2) from Kearney, NJ to points in the United States and (3) from Rockaway, NJ to points in the United States; Restricted to traffic originating at the facilities of A & E Plasti-Pak, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): A & E Plastics, 14505 Proctor Ave., Industry CA. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ. 85025.

MC 143775 (Sub-108TA), filed August 31, 1979. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (same address as applicant). (1) *Malt beverages and related advertising materials and (2) empty beverage containers and materials*, between Jefferson County, CO, on the one hand, and, on the other, points in AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Coors Industries, Golden, CO 80401. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 143775 (Sub-109TA), Filed September 8, 1979. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (same address as applicant). *General commodities (except Classes A & B explosives, commodities of unusual value, commodities in bulk, household goods and those commodities requiring the use of special equipment)*, between CA, on the one hand, and, on the other, Atlanta, GA, Boston, MA, Chicago, IL, Cleveland, OH, Memphis, TN, Newark, NJ, New York, NY, Philadelphia and Pittsburgh, PA, St. Louis, MO, Jersey City, NJ, Charlotte and Greensboro, NC, Milwaukee, WI and points in CT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are six (6) supporting shippers. Their statements may be reviewed at the below listed field office and at Washington, D.C. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 145074 (Sub-2TA), Filed August 21, 1979. Applicant: FREDERICKSEN TANK LINES, INC., 850 Delta Lane, West Sacramento, CA 95691. Representative: Michael S. Rubin, (415) 421-6743, Silver, Rosen, Fischer & Stecher, 256 Montgomery Street, San Francisco, CA 94104. *Petroleum and petroleum products (except liquified petroleum gas, acids and chemicals, residual fuel oils used in paving operations, asphalt, road oils and road emulsions)* in bulk, in tank vehicles, from Sparks, NV to points in Placer and El Dorado Counties, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Orbit Stations, Inc., P.O. Box 10620, Reno, NV 89510. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 145394 (Sub-2TA), Filed August 8, 1979. Applicant: A & B FREIGHT LINES, INC., 2800 Falund Street, Rockford, IL 61109. Representative: Robert Kaske (address same as applicant). *Machinery and parts, torque converters and parts, construction equipment and parts, materials and equipment used in the manufacturing*, between Rockford, IL on the one hand, and on the other, Manitowoc, and the Milwaukee, WI commercial zone for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Intersoll Milling Corp., 707 Fulton Avenue, Rockford, IL 61111. Mattison Machine Co., 545 Blackhawk Park Avenue, Rockford, IL 61101. Pettibone Corp., 1234 Shappert Drive, Rockford, IL. Twin Disc, Inc., 1310 Preston Street, Rockford, IL 61101. Send protests to: Annie Booker, TA,

ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 145515 (Sub-5TA), filed August 13, 1979. Applicant: GREENE'S CARTAGE CO., INC., 1934 Avalon Avenue, Muscle Shoals, AL 35660. Representative: Robert E. Born, Suite 508, 1447 Peachtree Street, NE, Atlanta, GA 30309. *Aluminum articles*, from Listerhill and Sheffield, AL to points in IL, IN, MI, and OH; and *materials, equipment and supplies used in the manufacture of distribution of aluminum articles*, from points in IL, IN, MI and OH to Listerhill and Sheffield, AL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Reynolds Metals Company, P.O. Box 27003, Richmond, VA 23261. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616—2121 Building, Birmingham, AL 35203.

MC 145664 (Sub-10TA), filed August 23, 1979. Applicant: STALBERGER, INC., 223 South 50th Avenue West, Duluth MN 55806. Representative: Robert L. Kalenda, Hall, Byers, Hanson, Steil & Weinberger, 921 First Street North, St. Cloud, MN 56301. *Steel grinding balls* from the facilities of North Star Steel at or near Duluth, MN to points in CA, OR, WA, TX, MO and WI, for 180 days. Supporting shipper(s): North Star Steel, Duluth, MN. Send protests to: Judith L. Olson, T/A, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 145664 (Sub-11TA), filed August 23, 1979. Applicant: STALBERGER, INC., 223 South 50th Avenue West, Duluth, MN 55807. Representative: John M. LeFevre, James S. Holmes, Holmes & Graven Chartered, 4610 IDS Center, Minneapolis, MN 55402. *Plywood and/or laminated panels* from the United States-Canada International Boundary Line at or near Grand Portage, MN to points in IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Multiply Plywoods, Ltd., Box 910, Nipigon, Ontario, Canada. Send protests to: Judith L. Olson, T/A, ICC, 414 Federal Building, 110 South 4th Street, Minneapolis, MN 55401.

MC 145715 (Sub-8TA), filed July 12, 1979. Applicant: BELL TRUCKING, INC., 2504 Industrial Park Road, Van Buren, AR 72965. Representative: Elaine M. Conway, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Meat, meat products, meat by-products and articles* distributed by meat packinghouses from Searcy, AR to OK and TX for 180 days. Supporting shipper(s): Land O' Frost, Inc., 16850 Chicago Avenue, Lansing, IL. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145715 (Sub-9TA), filed August 8, 1979. Applicant: BELL TRUCKING, INC., 2504 Industrial Park Road, Van Buren, AR 72915. Representative: Elaine M. Conway, 10 South LaSalle St., Suite 1600, Chicago, IL 60603. *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, from the facilities used by Land O'Frost, Inc., at Chicago and Lansing, IL to points in CO, IL, KS and MO, for 180 days. Underlying ETA seeks 90 days authority. (Restricted to traffic originating at and destined to above-named points.) Supporting shipper(s): Land O'Frost, Inc., 16850 Chicago Ave., Lansing, IL 60438. Send protests to:

MC 146095 (Sub-4TA), filed August 28, 1979. Applicant: MCGEE-BALLENGER TRUCKING CO., INC., P.O. Box 851, Mauldin, SC 29662. Representative: George W. Clapp, P.O. Box 836, Taylors, SC 29687. *Contract carrier, irregular routes; Such commodities as are dealt in by retail and chain grocery, hardware and drug stores, in containers, and materials and supplies (except in bulk) used in the manufacture and distribution of such commodities*, between Atlanta, GA, and points in its commercial zone, on the one hand, and, on the other, Los Angeles, CA; Chicago and Danville, IL; New York, NY and Dallas and Fort Worth, TX, and points in their respective commercial zone, for 180 days. Supporting shipper(s): Boyle-Midway, Division of American Home Products Corporation, 685 Third Avenue, New York, NY 10017. Send protests to: E. E. Strotheid, D/S ICC, Rm. 302, 1400 Bldg., 1400 Pickens St., Columbia, SC 29201.

MC 146464 (Sub-2TA), filed August 22, 1979. Applicant: NEVADA GENERAL TRANSPORTATION, INC., P.O. Box 1239, Lamoille, NV 89828. Representative: Jerald Payne (same as applicant). *Beer, malt beverages, wine, juices, mixes, carbonated beverages and related advertising material*, from CA to Elko and Ely, NV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Blach Distributing Co., P.O. Box 269, Elko, NV 89801. Send protests to: DS W. J. Huetig, 203 Federal Building, 705 N. Plaza St., Carson City, NV 89701.

MC 146635 (Sub-2TA), filed March 23, 1979. Applicant: CLYDE F. HOSTUTLER t/a, CLYDE'S TRANSFER, 604 Aquarius Drive, Mechanicsville, VA 23111. Representative: Calvin F. Major, 200 West Grace Street, Richmond, VA 23220. Contract—irregular: Steel (coil and flat structural), from PA, DE, NC, SC, GA, WV, NJ, MD and OH to VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gordon

Metal Company, 211 South 14th Street, Richmond, VA 23219. Send protests to: Paul D. Collins, ICC, room 10-502 Federal Bldg., 400 North 8th St., Richmond, VA 23240.

MC 146704 (Sub-4TA), filed August 2, 1979. Applicant: FALCON MOTOR TRANSPORT, INC., 1250 Kelly Ave., Akron, OH 44316. Representative: Michael L. Moushey, 275 E. State St., Columbus, OH 43215. *Contract carrier, irregular routes, (1) fiber board or cardboard cans, with or without ends, lids and accessories* between Massillon, OH, on the one hand, and, on the other, St. Peters, MO; (2) *paper bags and paper or cardboard containers* between Chicago, IL, on the one hand, and, on the other, Massillon, OH; and (3) *paper*, in rolls, bundles or boxes, between Monticello, MS, and points in Lawrence County, MS, on the one hand, and, on the other, Massillon, OH, under contract with Ohio Paper Products Co., for 180 days. Supporting shipper(s): Ohio Paper Products Co., Div. of VanDoren, 2101 9th St. SW., Massillon, OH 44846. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 146704 (Sub-5TA), filed August 10, 1979. Applicant: FALCON MOTOR TRANSPORT INC., 1250 Kelly Ave., Akron, OH 44306. Representative: Michael L. Moushey, 275 E. State St., Columbus, OH 43215. *Contract carrier, irregular routes, such commodities as are manufactured, processed and/or dealt in by rubber manufacturers, and equipment, materials, and supplies* used in the conduct of such businesses, between Akron, OH commercial zone, on the one hand, and, on the other, Baltimore, MD and Chicago, IL and their commercial zones and points in NJ on and south of Route 33, under continuing contract with The General Tire & Rubber Co., for 180 days. Supporting shipper(s): The General Tire & Rubber Co., No. 1 General St., Akron, OH 44329. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 146974 (Sub-3TA), filed July 13, 1979. Applicant: WILLIAM V. THOMAS, 9700 2nd NW, Albuquerque, NM 87114. Representative: (same as applicant). *Lumber, wood products and composition board*, from the facilities of Duke City Lumber Co., at (1) Winslow, AZ to NM, OK, and TX, (2) Amalia, Espanola, and Albuquerque, NM to AZ, CO, KS, OK, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Duke City Lumber Co., P.O. Box 25807, Albuquerque, NM 87125. Send protests to: D/S, ICC, 1106 Federal

Office Building, 517 Gold Avenue SW, Albuquerque, NM 87101.

MC 146885 (Sub-3TA), filed August 17, 1979. Applicant: BEN CAPOBIANCO TRUCKING INC., 5275 Talawanda Drive, Fairfield, OH 45014. Representative: Jerry B. Sellman, 50 W. Broad St., Columbus, OH 43215. *Boxed cheese*, from Brewster, OH to points in CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Brewster Dairy, Inc., 675 South Wabash, Brewster, OH 44613. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 146974 (Sub-4TA), filed August 13, 1979. Applicant: WILLIAM V. THOMAS, 9700 2nd NW, Albuquerque, NM 87114. Representative: (same as applicant). *Wood products*: Between the facilities of Dependable Door Co., Belen, NM and points in CA, CO, TX, and AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Dependable Door Co., P.O. Drawer 29, Belen, NM 87002. Send protests to: DS/ICC, 1106 Federal Office Building, 517 Gold Avenue SW, Albuquerque, NM 87101.

MC 147095 (Sub-1TA), filed July 20, 1979. Applicant: BOYD MARTIN COMPANY, A D/B/A FOR WEST AMERICAN FINANCE CORPORATION, 1260 West North Temple, Salt Lake City, UT 84103. Representative: Gary B. Ferguson, Ninth Floor Tribune Building, 143 South Main, Salt Lake City, UT 84111. *Contract carrier*: Irregular Route: *Butter*, in bulk or packages, in refrigerated equipment from Caldwell, ID to Salt Lake City, UT and its Commercial Zone, for 180 days. An underlying ETA requests 90 days authority. Supporting shipper(s): Wilsey-Bennet Company, 1260 West North Temple, Salt Lake City, UT 84116. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Building, Salt Lake City, UT 84138.

MC 147225 (Sub-2TA), filed August 24, 1979. Applicant: BOBBY RAYMOND TRUCKING, INC., P.O. Box 6248, 2202 W. McDowell Rd., Phoenix, AZ 85005. Representative: Doug W. Sinclair (same address as applicant). *Foodstuffs, including candy, breakfast bars and snack food items (except commodities in bulk)*, from the facilities of The Sunmark Co. and Switzer Candy Co. in St. Louis, MO and Itasca, IL to points in the States of AZ, CA, CO, ID, NM, NV, OR, TX, UT and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Switzer Candy Co., Division of Beatrice Foods Co., 1600 N. Broadway, St. Louis, MO 63102. The Sunmark Companies, 10795 Watson Rd.,

St. Louis, MO 63127. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 147285 (Sub-1TA), filed August 15, 1979. Applicant: D. STARKS TRUCKING, INC., P.O. Box 365, LaSalle, IL 61301. Representative: Barry W. Welbers, P.O. Box 365, LaSalle, IL 61301. *Agricultural chemicals and materials used in the manufacture thereof*, between Morris, IL and Senica, IL to points in IN, MI, and WI for 180 days. Supporting shipper(s): Jon T. Chemical P.O. Box 191, Houston, TX 77024. Send protests to: Annie Booker, TA, ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 147394 (Sub-4TA), filed August 23, 1979. Applicant: COASTAL REFRIGERATED SERVICE INC., 34 Market Street, Everett, MA 02149. Representative: Joseph F. Normile, 71 Gale Avenue, Haverhill, MA 01830. *Contract carrier*, irregular routes *lighting fixtures and/or related components utilized in the manufacture and production of lighting fixtures and related products* between Wilmington, MA, on the one hand, and on the other hand, points within United States (excluding Alaska and Hawaii) for 180 days. Supporting shipper(s): Keene Corporation, Lighting Division, Industrial Way, Wilmington, MA 01887. Send protests to: John B. Thomas, D/S, ICC, 150 Causeway Street, Room 501, Boston, Massachusetts, 02114.

MC 147405 (Sub-2TA), filed August 16, 1979. Applicant: C & C TRANSPORTATION, INC. 2501 Aztec NE, Albuquerque, NM 87101. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. *Contract*: Irregular: (1) *Vinyl floor covering and ceramic or clay tile*: From Landisville and Whitehall, PA and Keyport, Kearney and Trenton, NJ to the facilities of Standard Brands Paint Co., Inc., located at Torrance, CA. (2) *Mirror tile*: From Chicago, IL to the facilities of Standard Brands Paint Co., Inc., located at Torrance, CA. (3) *Wallpaper*: From Joliet, IL to the facilities of Standard Brands Paint Co., Inc., located at Torrance, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Standard Brands Paint Co., Inc., 4300 W. 190th Street, Torrance, CA 90504. Send protests to: DS/ICC, 1106 Federal Office Building, 517 Gold Avenue SW, Albuquerque, NM 87101.

MC 147595 (Sub-1TA), filed August 6, 1979. Applicant: LYLE GUENTZEL TRUCKING, INC., d.b.a. G and A Trucking, P.O. Box 316, Hibbing, MN 55746. Representative: John B. Van de

North, Jr., Briggs and Morgan, 2200 First National Bank Building, St. Paul, MN 55101. *Such merchandise as is dealt in by retail stores (except commodities in bulk)* from points in the Minneapolis/St. Paul commercial zone to Hibbing and Virginia, MN, having prior or subsequent movement in interstate commerce, for 180 days. An underlying ETA seeks 90 days authority. Applicant does intend to interline with other carriers at Minneapolis/St. Paul, MN and points in the Minneapolis/St. Paul, MN commercial zone. Supporting Shipper(s): F. W. Woolworth, Hibbing, MN. F. W. Woolworth, Virginia, MN. Send protests to: Judith L. Olson, TA, ICC 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 147615 (Sub-20 TA), filed June 27, 1979. Applicant: LINCOLN TRAIL SERVICE CENTER, INC., RR #2, Box 75, Corydon, IN 47112. Representative: Carl E. Duley, RR #2, Box 75, Corydon, IN 47114. *Wrecked and disabled vehicles and replacement vehicles for wrecked and disabled vehicles* between points in IN, on the one hand, and on the other, points in OH, MI, PA, NY, KY, IL, GA, TN, WV, VA, MO, AR, TX, LA, MS, AL, FL, SC, NJ, MA and NC, for 180 days. Six Supporting Shippers. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio Street, Rm 429, Indianapolis, IN 46204.

MC 147634 (Sub-1TA), filed July 24, 1979. Applicant: A & J TRANSFER CO., INC., P.O. Box 2335, 1030 Second Ave., Columbus, GA 31902. Representative: C. E. Walker, P.O. Box 1085, Columbus, GA 31902. *Contract Carrier*: Irregular Routes: *General commodities (except commodities in bulk, Class A and B explosives, articles of unusual value and household goods as defined by the Commission)* between the plants of Callaway Chemical Co., Columbus, GA and Callaway Insulation Co., Morrow, GA on the one hand and on the other, points in the states of AL, AR, FL, GA, KY, MS, MO, NC, TN and VA for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Callaway Insulation Company, Inc., Callaway Chemical Company, Inc., 1136 Chumar Street, Columbus, GA. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., NW, Rm 300, Atlanta, GA 30309.

MC 147644 (Sub-2TA), filed July 20, 1979. Applicant: J.M.C. TRANSPORTATION, INC., 900 W. Stephen Foster Blvd., Bardstown, Ky. 40004. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. *Alcoholic beverages, except in bulk*, from Bardstown, KY, to points in the United

States (except AK and HI), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Russell Broadus, Old Bardstown Distilling Co., Inc., 900 W. Stephen Foster Blvd., Bardstown, Ky. 40004. Send protests to: Ms. Clara L. Eyl, T/A ICC, 426 Post Office Bldg., Louisville, Ky. 40202.

MC 147654 (Sub-1TA), filed June 28, 1979. Applicant: TORNETTA'S MOTOR TRUCK, INC., P.O. Box 349, Conshohocken, PA 19428. Representative: Alan Kahn, 1920 Two Penn Center Plaza, Phila., PA 19102. (1) *Iron and steel articles*, from the facilities of Lukens Steel Co. in Plymouth Township (Montgomery County), PA to points in CT, DE, MA, MD, NJ, NY, and OH. (2) *Materials and supplies* used in the manufacture and distribution of iron and steel articles (except commodities in bulk), from points in MD, NY, and OH to the facilities of Lukens Steel Co. in Plymouth Township (Montgomery County), PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Lukens Steel Co., Coatesville, PA 19320. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19108.

MC 147685 (Sub-1TA), filed July 27, 1979. Applicant: BASSETT FURNITURE INDUSTRIES OF NORTH CAROLINA, INC. d.b.a. BASSETT TRUCKING COMPANY, P.O. Box 47, Newton, NC 28658. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. Contract Carrier—Irrregular Routes, *foodstuffs (except those requiring special equipment) and empty shipping containers and shipping devices used in the transportation of foodstuffs*, (1) foodstuffs, from the facilities of Welch Foods, Inc. in the states of PA and NY to points in the states of GA, FL, NC, SC, TN, VA, and WV; (2) refused and rejected shipments of foodstuffs, from points in the states of GA, FL, NC, SC, TN, VA, and WV to the facilities of Welch Foods Inc. in the states of PA and NY; (3) empty shipping containers and shipping devices used in the transportation of foodstuffs, from points in the states of GA, FL, NC, SC, TN, VA, and WV to the facilities of Welch Foods, Inc. in the states of PA and NY for 180 days. A corresponding ETA seeks 90 days authority. Supporting shipper(s): Welch Foods, Inc., 2 South Portage St., Westfield, NY 14787. Send protests to: Terrell Price, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 147684 (Sub-1TA), filed July 20, 1979. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, FL 32809. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE

68501. *Contract carrier*, irregular routes, *transporting foodstuffs (except frozen foods, canned goods, commodities in bulk or in tank vehicles)*, from points in CT, DE, GA, MD, MA, NJ, NY, NC, PA, RI, SC, and VA to points in FL, under a continuing contract(s) with Fine Distributing Corporation, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Fine Distributing Corporation, 3485 N.W. 65th Street, Miami, FL 33147. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 147685 (Sub-1TA), filed July 25, 1979. Applicant: JACKRABBIT EXPRESS, P.O. Box 10094, Reno, NV 89510. Representative: Robert G. Harrison, 4299 James Dr., Carson City, NV 89701. Common carrier, regular routes, *general commodities, except Class A and B explosives, commodities in bulk, household goods as defined by the I.C.C., and articles injurious to other lading*, from Reno-Sparks, NV via U.S. Hwy. 395 through Carson City, Minden, Gardnerville and serving all intermediate points and the off-route points of Virginia City, Gold Hill, Dayton and Genoa, then south on U.S. 395 to intersection with NV Hwy. 95 at Schurz, serving all intermediate points and the off-route points of Mason and Weed Heights, then north on NV Hwy. 95 to intersection with U.S. Hwy. 50 at Fallon, serving all intermediate points, then northwest on U.S. Hwy. 50 Alternate to Fernley and also west on U.S. Hwy. 50 to intersection with NV Hwy. 95 Alternate at Silver Springs, then both north and south on NV Hwy. 95 serving all points between Yerington and Fernley, then west on U.S. Hwy. 80 at Fernley to Reno-Sparks, serving all intermediate points, for 180 days. Interlining requested at Reno and Sparks, NV. Supporting shipper(s): There are seven shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: DS W. J. Huetig, I.C.C., 203 Federal Bldg., Carson City, NV 89701.

MC 147705 (Sub-1TA), filed July 30, 1979. Applicant: E. E. REDMON TRUCKING CO., INC., Box 154, Hartfield, VA 23071. Representative: E. E. Redmon, Jr. (same as applicant). *Contract carrier*: irregular routes: (1) *Drugs; toilet preparations; animal feeds; animal supplies; glassware; light bulbs; abrasive cloth; paper and paper articles; notions; shells; thermometers; adhesives; wheat germ; plastic or rubber articles; toys; displays* and (2) *materials, supplies and equipment used in the manufacture, sale, or distribution of articles in (1);* between the facilities of

A. H. Robins Co., its wholly owned subsidiaries, Miller Morton Co., Chap Stick Co., and Elkins-Sinn, Inc. in Richmond, VA, and Henrico County, VA, on the one hand, and, on the other, Norfolk, Newport News, Portsmouth, Hampton Roads and Chesapeake (Norfolk County), VA, on traffic having a prior or subsequent movement by water for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): A. H. Robins Co., Miller Morton Co., Chap Stick Co., Elkins-Sinn, Inc., 7500 Darbytown Rd., Richmond, VA 23231. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19108.

MC 147724 (TA), filed July 2, 1979. Applicant: TYRONE SCHULTZ, d.b.a., Ty Schultz Trucking, Route 1, Box 221, Ione, CA 95640. Representative: Robert G. Harrison, 4299 James Dr., Carson City, NV 89701. *Contract carrier*, irregular routes, *refractories, brick, crude clay and commodities used in the manufacture, distribution and installation and installation of refractories, brick and crude clay*, (1) between the facilities of C. E. Cast Industrial Products and Interpace Corporation in Amador County, CA and the facilities of customers and suppliers to C. E. Cast Industrial Products and Interpace Corporation in CA, OR, WA and Carson City, NV; (2) between the facilities of C. E. Cast Industrial Products and Interpace Corporation in Amador County, CA and Pittsburg, CA, the latter restricted to shipments having an immediately prior or subsequent movement in foreign commerce, under contract with Interpace Corp. and C. E. Cast Industrial Products, for 180 days. Supporting shipper(s): C. E. Cast Industrial Products, P.O. Box 306, Ione, CA 95640, Interpace Corp., P.O. Box 785, Ione, CA 95640. Send protests to: DS W. J. Huetig, ICC, 203 Federal Bldg., Carson City, NV 89701.

MC 147745 (Sub-1TA), Filed July 9, 1979. Applicant: CAT-LINE, INC., 800 Grant Avenue, Addison, IL 60101. Representative: Albert A. Andrin, 180 North LaSalle Street, Chicago, IL. *Foam products fabricated*, from Addison, IL to points in WI, IA, IL, IN and MI for 180 days. Supporting shipper(s): Foam Cutting Engineers, Inc., 1235 National Avenue, Addison, IL 60101. Send protests to: Annie Booker, TA, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 147794 (Sub), filed July 25, 1979. Applicant: ROBERT WALLICK, d.b.a. R & W TRUCKING, 100 South Main, Park Rapids, MN 56470. Representative: William J. Gambucci, 414 Gate City Bldg., P.O. Box 1680, Fargo, ND 58107.

Contract carrier: irregular routes: Agricultural and utility trailers and parts and accessories thereof, from the facilities of Kiefer Built, Inc., located at or near Kanawha, IA to points in MN, MT, ND, and SD, and from the facilities of Kiefer Built, Inc., located at or near Park Rapids, MN to points in IA, MT, ND and SD, under a continuing contract or contracts with Kiefer Built, Inc., of Kanawha, IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kiefer Built, Inc., Box 85, Industrial Park, Park Rapids, MN 56470. Send protests to: H. E. Farsdale, DS, ICC, Room 268 Fed. Bldg., 657 2nd Avenue North, Fargo, ND 58102.

MC 147804 (Sub-1TA), filed July 23, 1979. Applicant: R. E. HUSMAN EXPRESS, INC., 3927 Hemphill Way, Cincinnati, OH 45236. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. (1) *Mattresses, upholstered or stuffed furniture, batting, padding, frames, springs, or molds*, and (2) *equipment, materials and supplies used in the manufacture or distribution of items specified in (1) above* between the facilities of Sterns and Foster Co. located at or near Lockland and Mason, OH on the one hand, and on the other points in NY, PA, WV, KY, IN, IL, MI, TN, MO, AR, MS, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Stearns and Foster Co., Mill and Wyoming Sts., Lockland, OH 45215. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 147805 (Sub-1TA), filed July 25, 1979. Applicant: CHEROKEE TRUCKING, INC., 7300 West 15th Avenue, Gary, IN 46408. Representative: Kenneth F. Dudley, 1501 E. Main Street, Ottumwa, IA 52501. *Iron and steel, aluminum and zinc articles*, from points in Chicago, IL commercial zone; Portage and South Bend, IN; and Detroit, MI to points in IL, IN, MI, MO, and WI for 180 days. An underlying ETA was granted authority for 90 days. Supporting shipper(s): 5 Supporting Shippers. Send protests to: Annie Booker, TA, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 147805 (Sub-2TA), filed August 10, 1979. Applicant: CLIFFORD PIERCE, WILLIAM PARKS, GORDON KEATS d.b.a. VALLEY FREIGHT, P.O. Box 6303, Modesto, CA 95355. Representative: Pierce, Parks, Keats (same address as above). *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment; Modesto, CA North to Stockton, CA, South to Merced, CA,

East to Sonoma, CA, West to Livermore, CA and all points which fall in between to the San Francisco International Airport for shipments having a prior or subsequent movement by air for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): United Farm Tool, Miller Div., 2032 No. Frontage Rd., Turlock, CA 95380, Diamond Laboratores, Inc., 1230—7th St., Modesto, CA 95354, Shell Development, P.O. Box 912, Salida, CA. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 147815 (Sub-1TA), filed August 9, 1979. Applicant: CARGO TRANSPORT, INC., 918 W. Fifth St., Dayton, OH 45407. Representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, MI 48933. *Iron or steel articles including: pipe, tubing, fittings or valves*, from the Chicago, IL commercial zone to the facilities of Dow Chemical USA located at Bay City and Midland, MI, for 180 days. Supporting shipper(s): Dow Chemical USA, 47 Bldg.—Purchasing Dept., Midland, MI 48640. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 147824 (Sub-1TA), filed July 30, 1979. Applicant: COBB-FROZEN TRANSPORT, INC., 4524 Salida Blvd., Salida, CA 95368. Representative: Robert Fuller, 13215 E. Penn St.—Suite 310, Whittier, CA 90602. *Aluminum billets*, Ferndale (including Intalco), WA; Longview, WA; and the Dalles, OR to Modesto, CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pacific Aluminum Corporation, 711 Bangs Ave., Modesto, CA 95355. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 147825 (Sub-1TA), filed July 30, 1979. Applicant: VERNE'S AUTO SALES, INC., 2804 Neva Road, Antigo, WI 54409. Representative: Michael Wyngaard, 150 E. Gilman St., Madison, WI 53703. (1) *Pallets, pallet-parts, lumber, lumber products, skids, ties, timbers, and posts*, from Menominee, MI to Kansas City, KS; Kansas City, MO; Oklahoma City, OK; Little Rock and Jacksonville, AR; Effingham, IL and points within a 50 mile radius thereof, and Des Moines, IA and points within a 50 mile radius thereof; (2) *Pallets, pallet parts, lumber, lumber products, skids, ties, timbers, and posts* from Antigo, Birnamwood, Tigerton, Ladysmith, and Valdres, WI and from Baraga and Iron River, MI to Paoli, IN; (3) *Lumber* from Belle Plaine, IA; Bloomington and Sullivan, IN to Antigo, Marshfield and Sheboygan, WI, for 180 days. An underlying ETA seeks 90 days authority.

Supporting shipper(s): Great Lakes Harwood Co., Inc., 2234 Neva Road, Antigo, WI 54409. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 147835 (Sub-1TA), filed July 31, 1979. Applicant: INDIAN CASTINGS, INC., RR #6—Box 383, Marion, IL. Representative: Michael W. O'Hara, Attorney at Law, 300 Reisch Building, Springfield, IL 62701. *Contract carrier: irregular routes: Plastic pipe and cast iron fittings* for the account of Contractor Utility Co. from Springfield, IL and Bonneville, MS to points in IA, IL, IN, KY, KS, LA, MO, MS, NB, ND, OH, OK, SD and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Contractor Utility Co., 4755 Industrial Drive—P.O. Box 2937, Springfield, IL 62708. Send protests to: Annie Booker, TA Interstate Commerce Commission, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 147844 (Sub-1TA), filed August 8, 1979. Applicant: RALPH L. BURRESS, an individual, P.O. Box 294, Dale, IN 47523. Representative: David V. Purcell, 111 East Wisconsin Avenue, Milwaukee, WI 53202. *Plumbing fixtures and fittings*, from the facilities of Kohler Co. located in Sheboygan County, WI, to points in AL, FL and GA, for 180 days. Supporting shipper(s): Kohler Co., P.O. Box A, Kohler, WI 53044. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm. 429, Indianapolis, IN 46204.

MC 147854 (Sub-1TA), filed July 18, 1979. Applicant: CONTACT GARTAGE COMPANY, INC., 11499 Conner, Detroit, MI 48213. Representative: Edwin M. Snyder, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. *General Commodities*, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; from Traverse City and Saginaw, MI to the facilities of Burlington Northern Air Freight, Inc. located at or near Romulus, MI for interlining of freight with interstate and foreign destinations. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Burlington Northern Air Freight, Inc., 2874 Wick Road, Romulus, MI 48174. Send protests to: C. R. Flemming, D/S, ICC, 225 Federal Building, Lansing, MI 48933.

MC 147855 (Sub-1TA), filed August 22, 1979. Applicant: HALTER MARINE, INC., 10001 Lake Forest Blvd., New Orleans, LA 70127. Representative: S. W. Murphy, General Counsel and Secretary (same address as applicant).

Applicant is seeking authority to operate as a common carrier over irregular routes transporting *passengers who are employees of Halter Marine, Inc. and their baggage* in special and charter operations between Picayune, MS on the one hand, and on the other, Halter Marine, Inc. shipyards at Chalmette, LA, the Industrial Canal in New Orleans, and a facility near junctions of U.S. Highways 11 and 90 East of the City of New Orleans, LA, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper(s): Halter Marine, Inc., 10001 Lake Forest Blvd., New Orleans, LA 70127. Send protests to: Robert J. Kirspeel, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 147864TA, filed July 6, 1979. Applicant: YANTICAW TRUCKING, INC., 89 Yanticaw Street, Clifton, NJ 07013. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Apparatus, between the facilities of the General Electric Corporation, located at North Bergen, NJ, on the one hand, and, on the other, points in the US (except AK and HI) for 180 days. Supporting shipper(s): General Electric Company, 6001 Tonnele Avenue, North Bergen, NJ 07047. Send protests to: Joel Morrows, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 147865TA, filed June 28, 1979. Applicant: JIM HART, 4952 Danford Rd., Billings, MT 59102. Representative: Jim Hart (same address as applicant). *Building Materials* from points in MT, WA, OR, and the U.S.-Canada International Boundary line at ports of entry in MT to points in MT and WY, for 180 days. Supporting Shipper(s): Builders Mart, Inc., P.O. Box 1918, Billings, MT 59103. Send protests to: Paul J. Labane D/S ICC, 2602 First Ave. North, Billings, MT 59101.

MC 147895TA, filed July 17, 1979. Applicant: EXPRESS TRANSPORT CORP., P.O. Box 1, Keasbey, NJ 08332. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. (1) General commodities (except classes A and B explosives and articles of unusual value) in containers or in trailers, and (2) empty used containers, used trailers, and used trailer chassis between ports located along the Eastern Seaboard and the Gulf of Mexico, on the one hand, and, on the other, points in the U.S. (except AK and HI), for 180 days. Restricted to shipments having immediately prior or subsequent movement by water or rail. Supporting Shipper(s): There are eight (8) supporting shippers on file at Newark, NJ and Washington, D.C. Send protests to: Irwin

Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 147954 (Sub-1TA), filed August 13, 1979. Applicant: CARRIERS CARTAGE COMPANY, INC., 3335 U.S. 27th South, P.O. Box 1021, Sebring, FL 33870. Representative: Jacob P. Billing, 2033 K St., N.W., Suite 300, Washington, D.C. 20006. *Fruit, fruit juice, fruit juice concentrate, fruit in jars and cans, fruit product beverages and beverage preparations, and fruit products*, from points in Brevard, Highlands, Lake, Orange, Polk, and St. Lucie Counties, FL to points in Brevard, Broward, Dade, Duval, Highlands, Hillsborough, Indian River, Lake, Orange, Polk, St. Lucie and Seminole Counties, FL for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): There are five supporting shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Donna M. Jones, T/A, ICC-BOP, Monterey Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 147964 (Sub-1TA), filed August 24, 1979. Applicant: JAMES R. THOMAS, d.b.a. THOMAS EQUIPMENT CO., 329 West Covina Blvd., San Dimas, California 91773. Representative: James R. Thomas, 329 West Covina Blvd., San Dimas, California 91773. *Contract; Irregular; Campers, vans and trailers*, from the facilities of contempo vans at Sun Valley, California, to (1) points within the states of WA, OR, AZ, NV, ID, (2) Salt Lake, Utah, Sandy, Utah, Nephi, Utah, Billings, Montana, Missoula, Montana, for 180 days, an underlying ETA seeks up to 90 days operating authority. Supporting Shipper(s): Contempo Vans for Camping, Traffic Manager, President, 11611 Cantara Street, Sun Valley, California 91605. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 147965 (Sub-1TA), filed August 8, 1979. Applicant: MAX KLEISE, d.b.a. P & M ENTERPRISES, an individual, 10650 S. W. Wilsonville Road, Wilsonville, OR 97070. Representative: Lawrence V. Smart, Jr., 419 N. W. 23rd Avenue, Portland, OR 97210, (503) 226-3755. *CANDY AND CONFECTIONARY, OTHER THAN BULK, IN MECHANICALLY REFRIGERATED EQUIPMENT* from Hackettstown, New Jersey to points in Oregon and Washington for 180 days. Supporting shipper(s): M&M/MARS Division, Inc., High Street, Hackettstown, New Jersey. Send protests to: A. E. Odums, DS, ICC, 114 Pioneer Courthouse, 555 S. W. Yamhill Street, Portland, OR 97204.

MC 147975 (Sub-1TA); filed August 13, 1979. Applicant: IEGO TRANSPORTING

SYSTEMS CORPORATION, 1975 Chariton Street No. 5, Los Angeles, California 90034. Representative: Kellner & Steffire by Greg P. Steffire, 700 S. Flower Street, Suite 1724, Los Angeles, California 90017. *Contract; irregular; Meat and meat by-products*, between Amarillo, TX, Vernon, CA and points in the United States, for 180 days. Supporting shipper(s): Kal Kan Foods, Inc., Traffic Manager, 3386 E. 44th Street, Los Angeles, California 90058. Send protests to: Irene Carlos, TA, ICC, P.O. Box 1551, Los Angeles, California 90053.

MC 147974 (Sub-1TA); filed August 23, 1979. Applicant: NOEL TERRY BORDEN d.b.a., BORDEN AND SON'S CRANE AND RIGGING, 1112 E. Service Rd., Ceres, CA 95307. Representative: N. T. Borden (same address as above). *Molded Fiberglass Pools* transported on specifically specialized designed low bed trailers from Irvine, San Jose and Stockton, CA to AZ, CO, NM and NV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): San Juan Manufacturing of Northern Calif., Inc., P.O. Box 347, San Jose, CA 95103. Send protests to: D/S Neil C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 147984 (Sub-1TA); filed August 15, 1979. Applicant: SUITCLIFFE TRANSFER CO., INC., 301 Ward, Raymore, MO 64083. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. *Contract carrier, irregular routes, Air Entraining Agents, Steel Reinforcing Bars, Concrete Curing Compound, joint sealing compound, epoxy compound, aluminum forms AND ACCESSORIES, STEEL AND WOODEN GUARD RAILS AND MATERIALS AND supplies necessary for their installation; iron and steel articles, asphalt expansion joints, packaged petroleum products, sonotubes, steel rebar, and wire mesh*, (1) between points in Kansas City, KS and points in MO; (2) between points in Kansas City, MO and points in KS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Carter-Waters Corp., 2440 Fennway, Kansas City, MO 64108. Send protests to: Vernon V. Coble, DS, I.C.C. 600 Federal Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 147995 (Sub-1TA), filed August 28, 1979. Applicant: C. R. RUDD & SONS, INC., 1532 Washington Ave., New Hyde Park, NY 11040. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956. *Contract carrier, irregular routes: Wire rope, steel and miscellaneous fittings and wire rope shipping reels*, between Kenosha,

WI, on the one hand, and, on the other, Atlanta, GA, Memphis, TN, Newark, NJ, New Orleans, LA, Philadelphia and Pittsburgh, PA, Portland, OR, and Seattle, WA, under a continuing contract(s) with Macwhyte Company, Kenosha, WI; for 180 days; and underlying ETA seeks 90 days authority. Supporting shipper(s): Macwhyte Company, 2906 14th Avenue, Kenosha, WI 53141. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 148004-TA, filed August 21, 1979. Applicant: BARKER TRUCKING, P.O. Box 31651, Billings, MT 59107. Representative: Darryl L. Barker (same address as applicant). *Wheat flour* from Great Falls, MT to Phoenix, AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): ConAgra, Inc., P.O. Box 2548, Great Falls, MT 59403. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 148005 (Sub-1TA), filed August 20, 1979. Applicant: SAN'S TRUCKING COMPANY, INC., P.O. Box 1004, Chico, CA 95927. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956. *Contract carrier, irregular routes; Foodstuffs* (1) From facilities of Chico-San, Inc. at Chico, CA to points in the United States except AK and HI; (2) From facilities of Erehwon, Inc. at Cambridge, MA to points in AZ, CA, CO, IL, IN, TN and TX, for 180 days. Restricted to traffic transported under contracts to Chico-San, Inc. and Erehwon, Inc. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chico-San, Inc., P.O. Box 1004, Chico, CA 95927. Erehwon, Inc., 3 E Street, Cambridge, MA 02141. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 148074 (Sub-1TA), filed July 27, 1979. Applicant: FRUTH MOTOR TRUCK SERVICE, INC., 720 Scheel, Belleville, IL 62221. Representative: Edward D. McNamara, Jr., 907 South Fourth, Springfield, IL 62703. *Contract carrier; irregular routes: Containers, container ends and closures, commodities manufactured or distributed by manufacturers and distributors of containers when moving in mixed loads with containers; materials, equipment, supplies used in the manufacture and distributions of containers; container ends and closures*, restricted against the transportation of commodities in bulk from the facilities of Brockway Glass Company, Inc. located at/near Zanesville, OH, Columbus, OH and Rosemont, MN to St. Louis, MO and Madison, IL for 180 days.

Supporting Shipper(s): Brockway Glass Company, Inc., McCullough Avenue, Brockway, PA 15824. Send protests to: Annie Booker, TA, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 148075 (Sub-1TA), filed August 1, 1979. Applicant: CECIL E. KING, JR. d.b.a. CECIL KING TRUCKING, Rt. 2, Seagrove, NC 27341. Representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, DC 20014. *Contract carrier—irregular routes, tread rubber and accessories used in recapping automotive tires*, from Asheboro, NC to Las Vegas, NV for 180 days. Supporting Shipper(s): Harrelson Rubber Company, P.O. Drawer 1167, Asheboro, NC 27203. Send protests to: Terrell Price, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 148124TA, filed July 31, 1979. Applicant: A. L. CEDERGREN CO., INC., 10 Sheppard Avenue, Brockton, MA 02401. Representative: John F. O'Donnell, Barrett and Barrett, 60 Adams Street, P.O. Box 238, Milton, MA 02187. *Contract carrier; irregular route; meats, meat products and meat by-products*, from Bedford, NH to points in RI and points in MA on and east of MA Routes 13 and 12. For 180 days. An underlying ETA seeks 29 days authority. Supporting Shipper(s): M. M. Mades Co., Inc., Bedford, NH. Send protests to: John B. Thomas, District Supervisor, Interstate Commerce Commission, 150 Causeway Street, Boston, MA 02114.

MC 148125TA, filed July 24, 1979. Applicant: JAMES N. SKRZYPCHAK, d.b.a. Sun Dog Trucking, 9709 Hwy. 29 W, Wausau, WI 54401. Representative: James Spiegel, 6425 Odana Rd., Madison, WI 53719. *Contract carrier; irregular routes; Forest products, rough and surface lumber and lumber products* (a) between Wausau, WI and various points in the UP of MI and (b) from Barron and Price Counties, WI to points in the UP of MI, restricted to transportation performed under a continuing contract(s) with (a) Elmer & Herman Kolbe, d/b/a Kolbe Bros. Lbr. Co. and (b) Connor Forest Industries, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Kolbe Bros. Lbr. Co., 9509 Hwy. 29 West, Wausau, WI 54401; and Connor Forest Industries, Inc., Box 847—330 Fourth St., Wausau, WI 54401. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 148155TA, filed August 22, 1979. Applicant: TRANS COASTAL CORPORATION, P.O. Box 116W, Winslow, ME 04902. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101. *Manufactured*

wooden items from points in ME to points in CA, FL, GA, IL, IA, MN, NE, NJ, OH, TX, and WA, for 180 days. Supporting Shipper(s): Hardwood Products Company, Guilford, ME 04443. Strong Wood Products Inc., Main St., Strong, ME 04983. Solon Manufacturing Company, Solon, ME 04979. Send protests to: Donald G. Weiler, District Supervisor, ICC, 76 Pearl St., Rm. 303, Portland, ME 04111.

MC 4024 (Sub-5TA), filed March 12, 1979, and published in FR issue of April 27, 1979, and republished as corrected this issue. Applicant: Horn Trucking Co., 300 Schmetter Road, Highland, Illinois 62249. Representative: Edward D. McNamara, Jr., 907 South Fourth Street, Springfield, Illinois 62703. *Iron and Steel Articles*: 1) From East Chicago, IN and Chicago, IL and its commercial zone to points in Illinois on and south of U.S. 24 and to points in MO, 2) Between Maverick Tube Corp. at or near Union, MO on the one hand and points in AR, IL, IN, KY, TN, OH, and WI, on the other, 3) From St. Louis, MO and Staunton, IL to points in AR, KY, TN, and from Staunton, IL to points in MO, 4) From the plantsites of Inland Steel Corp. at East Chicago, IN to points in IL on and south of U. S. 24 and points in MO. For 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to show correct origin and destination. Supporting shippers: Tubular Steel, Inc., 7220 Polson Lane, Hazelwood, MO 63042; Whittaker Metal, 4504 Euclid, East Chicago, IN 46312; and Maverick Tube Corp., P. O. Box 696, Union, MO 63084. Send protests to: Charles D. Little, ICC, 414 Leland Office Building, 6527 East Capitol Avenue, Springfield, IL 62701.

MC 126844 (Sub-78TA), filed March 6, 1979, and published in FR issue of May 15, 1979, and republished as corrected this issue. Applicant: R. D. S. Trucking Co., Inc., 1713 North Main Road, Vineland, NJ 08360. Representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, IA. *General commodities*, from Chicago, IL, to points in CO, FL, GA, MN, MO, NE, NJ, NY, PA and TX, when moving on bills of lading of EAST-WEST Shippers Association, Inc.; from Philadelphia, PA, to points in CO, FL, GA, IL, IN, MI, MN, MO, NE, TX and WI when moving on bills of lading of West Coast Shippers Association, Inc.; from Marinette WI, to Chicago, IL and Philadelphia, PA, when moving on bills of lading of East-West Shippers Association, Inc., or West Coast Shippers Association, Inc., for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to include West Coast

Shippers Association, Inc. in the destination. Supporting shipper(s): East West Shippers Association, Inc., 2000 South 71st St., Philadelphia, PA 19142; West Coast Shippers Association, Inc., 2000 South 71st St., Philadelphia, PA 19142. Send protests to: DS, ICC, 228 East State Street, Room 204, Trenton, NJ 08608.

MC 135364 (Sub-37TA), filed April 2, 1979, and published in FR issue of June 1, 1979, and republished as corrected this issue. Applicant: Morwall Trucking, Inc., Box 78-C, R. D. 3, Moscow, PA 18444. Representative: J. G. Dail, Jr., P.O. Box 11, McLean, VA 22101. Contract carrier: Irregular routes: (1) Artificial trees, wreaths, garlands, and shrubbery, and (2) equipment, materials, and supplies (except commodities in bulk) used in the manufacturing and distribution of the commodities named in (1), above, (a) between the facilities of American Technical Industries, Inc., located at or near Americus, GA, on the one hand, and, on the other, the facilities of American Technical Industries, Inc., located at or near Mira Loma, CA, Lexington, KY, and Aurora, IL, and points in AL, FL, LA, MS, NC, SC, TN, and VA; and (b) from Hammond, IN, Springfield, ME, Irvington and Piscataway, NJ, New York and Port Chester, NY, Sinking Springs, PA, El Paso, TX, and Middlebury, VT, to the facilities of American Technical Industries, Inc., located at or near Americus, GA. The purpose of this republication is to show correct origin and destination. Supporting shipper(s): American Technical Industries, Inc., 29 Elm Ave., Mt. Vernon, NY 10550. Send protests to: ICC, Wm. J. Green, Jr., Federal Bldg., 600 Arch St., Philadelphia, PA 19106.

MC 136605 (Sub-108TA), filed May 2, 1979, and published in FR issue of June 7, 1979, and republished as corrected this issue. Applicant: DAVIS BROS. DIST., INC., P.O. Box 8058, Missoula, MT 59807. Representative: Allen P. Felton, (same address as Applicant) *Poles and piling, treated and untreated, from points in the states of OR and WA to points in MT, WY, ND and SD, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to show origin point which was inadvertently omitted.* Supporting shipper(s): North Pacific Lumber Co., P.O. Box 3915, Portland, OR 97208. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101. Supporting shipper(s): North Pacific Lumber Co., P.O. Box 3915, Portland, OR 97208. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 136605 (Sub-111TA), filed May 17, 1979, and published in FR issue of June 7, 1979, and republished as corrected this issue. Applicant: DAVIS BROS. DIST., INC., P.O. Box 8058, Missoula, MT 59807. Representative: Allen P. Felton, (same address as Applicant). Lumber and lumber mill products from the facilities of Brand S Corporation located at or near Livingston and Lewistown, MT to points in IL, IN, WI, IA, MN, NE, ND, SD, OK and TX, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to add Lewistown, MT as an origin point. Brand S Corporation, Airport Road, Corvallis, OR 97330. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101. Supporting shipper(s): Brand S Corporation, Airport Road, Corvallis, OR 97330. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 143995 (Sub-14TA), filed March 7, 1979, and published in FR issue of May 10, 1979, and republished this issue. Applicant: SLOAN TRANSPORTATION, INC., 6522 W. River Drive, Davenport, IA 52802. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Contract carrier, irregular routes. Bakery goods, from Louisville, KY to points in AR, IA, IL, IN, MN, MI, OH, and TN, under continuing contract(s) with Ralston Purina Company, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to add the state of MI to the destination. Supporting shipper(s): Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA, 50309.

MC 143995 (Sub-15TA), filed March 7, 1979, and published in FR issue of May 10, 1979, and republished as corrected this issue. Applicant: SLOAN TRANSPORTATION, INC., 6522 W. River Drive, Davenport, IA 52802. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Contract carrier, irregular routes. Such merchandise as is dealt in by wholesale, retail, and chain grocery and feed business houses, between Clinton and Davenport, IA, on the one hand, and, on the other, points in IL, under continuing contract(s) with Ralston Purina Company, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to add Davenport, IA to the route description. Supporting shipper(s): Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. Send protests to:

Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA, 50309.

MC 144135 (Sub-1TA), filed June 11, 1979, and published in FR issue of July 23, 1979, and republished as corrected this issue. Applicant: L & V TRUCKING, INC., 32650 Almaden Blvd., Union City, CA 94587. Representative: Eugene Q. Carmody, 15523 Sedgeman St., San Leandro, CA 94579. (415) 357-3238. Contract carrier, irregular routes: *Vermiculite, other than crude; and gypsum wall plaster—in bags between Newark, CA and Reno, Sparks, Carson City, South Lake Tahoe, North Lake Tahoe, NV, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to show Zonolite Construction Products Division, W. R. Grace & Co., 6851 Smith Ave., Newark, CA 94560. Supporting shipper(s): Anning-Johnson Company, 1728 Gilbreth Rd. Burlingame, CA 94010; Zonolite Construction Products Division, W. R. Grace & Co., 6851 Smith Ave., Newark, CA 94560. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.*

MC 146845 (Sub-3TA), filed May 23, 1979, and published in FR issue of June 21, 1979, and republished as corrected this issue. Applicant: J. D. RAY COMPANY, 107 Glenwood Drive, P.O. Box 1133, Americus, GA 31709. Representative: Norman J. Bolinger, 1729 Gulf Life Tower, Jacksonville, FL 32207. Contract carrier, irregular routes, (1) *cloth, dry goods, and fabrics, viz: bath mats, bed spreads, blankets, dish cloths, mattress pads and covers, napkins, pillows, pillow cases, sheets, table cloths, towels, and wash cloths, and (2) materials, equipment, and supplies used in the manufacture, sale, and distribution of the articles in (1) above; between the facilities of Peak Textiles, Inc., at or near Americus, GA on the one hand, and, on the other, points in AL, AR, FL, LA, MS, NC, SC, TN, and TX for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to show applicant as contract carrier. Supporting shipper(s): Peak Textiles, Inc., P.O. Box 1, Americus, GA 31709. Send protests to: G. H. Fauss, Jr., Box 35008, 400 West Bay Street, Jacksonville, FL 32202.*

By the Commission.
Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-31031 Filed 10-5-79; 8:45 am]

BILLING CODE 7035-01-M

Sunshine Act Meetings

Federal Register

Vol. 44, No. 196

Tuesday, October 9, 1979

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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[M-251, Amdt. 1; Oct. 3, 1979]

CIVIL AERONAUTICS BOARD.

Notice of addition of item to the October 9, 1979, meeting.

TIME AND DATE: 9:30 a.m., October 9, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT: 12a. Docket 36410, Application of Trans World Corporation for approval, exemption or disclaimer of jurisdiction under section 408 for the acquisition of control of J.L.M. Travel and Incentive Co. (BDA, OGC).

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, The Secretary (202) 673-5068.

SUPPLEMENTARY INFORMATION: Trans World Corporation (TWC) has scheduled a stockholders meeting for October 18 to vote on the matter covered by the Memorandum. Inclusion on the October 9th Agenda is necessary to insure there is ample time to notify TWC of the Board's action. Accordingly, the following Members have voted that Item 12a be added to the October 9, 1979 agenda and that no earlier announcement was possible:

Chairman, Marvin S. Cohen
Member, Richard J. O'Melia
Member, Elizabeth E. Bailey

Member, Gloria Schaffer

[S-1959-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 6320-01-M

2

[M-251, Amdt. 2; Oct. 3, 1979]

CIVIL AERONAUTICS BOARD.

Notice of deletion of items from the October 9, 1979, meeting agenda.

TIME AND DATE: 9:30 a.m. October 9, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT:

13. Dockets 36456, 36493, and 36509; 30-day notice of Air Illinois of intent to terminate service at Kirksville, MO; 90- and 60-day notices of Ozark Air Lines of intent to terminate service at Kirksville (BDA, OCCRR).

15. Agreement CAB 27337, *et. al.*, Agreements for intercarrier division of joint fares (BDA).

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

SUPPLEMENTARY INFORMATION: Item 13 is being deleted because there is an action date of October 5, 1979 and the Board meeting is not until October 9, 1979. Item 15 is being deleted because Member Schaffer will be engaged in International Negotiations and will not be able to attend the October 9, 1979 meeting. Accordingly, the following Members have voted that Items 13 and 15 be deleted from the October 9, 1979 meeting and that no earlier announcement of these deletions was possible:

Chairman, Marvin S. Cohen
Member, Richard J. O'Melia
Member, Elizabeth E. Bailey
Member, Gloria Schaffer

[S-1960-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 6320-01-M

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 10:30 a.m., Tuesday, October 9, 1979.

PLACE: Commission Conference Room, 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

MATTERS TO BE CONSIDERED:

1. Freedom of Information Act Appeal No. 79-6-FOIA-199 concerning a request by a

member of the public for EEO-1 reports for three private employers.

2. Freedom of Information Act appeal No. 79-8-FOIA-240, concerning a request by a respondent for material from a charge file.

3. OMB issuance notice of interim guidelines for the collection of race, ethnic background, age and sex information on application, made by individuals for benefits for federal programs.

Closed

1. Litigation authorization; General Counsel Recommendations.

2. Decision on Request to appeal No. 01790137.

3. Decision on request to appeal No. 05790024.

Note.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION: Marie D. Wilson, Executive Officer, Executive Secretariat, at (202) 634-6748.

This notice issued October 3, 1979.

[S-1947-79 Filed 10-4-79; 11:44 am]
BILLING CODE 6570-06-M

4

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

"FEDERAL REGISTER" CITATION OR PREVIOUS ANNOUNCEMENT: S-1894-79 and S-1915-79.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m. (Eastern Time), Friday, September 28, 1979.

CHANGE IN THE MEETING: The following matter was added to the agenda for the open portion of the meeting:

Resolution of Commendation for William L. Robinson, Associate General Counsel, Trial Division, Office of the General Counsel. A majority of the entire membership of the Commission determined by recorded vote that the business of the Commission required this change and that no earlier announcement was possible.

In favor of Change: Eleanor Holmes Norton, Chair; Daniel E. Leach, Vice Chair; and Ethel Bent Walsh, Commissioner.

CONTACT PERSON FOR MORE INFORMATION: Marie D. Wilson, Executive Officer, Executive Secretariat, at (202) 634-6748.

This notice issued October 1, 1979.

[S-1946-79 Filed 10-4-79; 11:44 am]
BILLING CODE 6570-06-M

5

FEDERAL ELECTION COMMISSION.

DATE AND TIME Thursday, October 11, 1979 at 2:15 p.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public. Due to extraordinary circumstances, the Commission held a special executive session this date to discuss a compliance matter.

PERSON TO CONTACT FOR INFORMATION: Mr. Fred S. Eyland, Information Officer, telephone 202-523-4065.

Marjorie W. Emmons,

Secretary to the Commission.

[S-1984-79 Filed 10-4-79; 4:11 p.m.]

BILLING CODE 6715-01-M

6

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 44 FR 56095, published September 28, 1979.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:00 a.m., October 3, 1979.

CHANGE IN MEETING: Addition to the agenda of October 3, 1979.

Item No., Docket No., and Company

ER-10. EL79-8, Central Power & Light Company, *et al.*

CP-2. CP78-123, *et al.*, Northwest Alaskan Natural Gas Transportation Co. (discussion of pipe size and pressure).

Kenneth F. Plumb,

Secretary.

[S-1952-79 Filed 10-4-79; 3:07 pm]

BILLING CODE 6450-01-M

7

FEDERAL ENERGY REGULATORY COMMISSION.

TIME AND DATE: 10:00 a.m., October 10, 1979.

PLACE: 825 North Capitol Street, N.E., Washington, D.C. 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE

INFORMATION: Kenneth F. Plumb, Secretary, telephone (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Office of Public Information.

Power Agenda—342nd Meeting, October 10, 1979, Regular Meeting (10:00 a.m.)

CAP-1. Project No. 2114, Public Utility District No. 2 of Grant County, Washington. Project Nos. 943 and 2145, Public Utility District No. 1 of Chelan County, Washington. Project No. 2149, Public Utility District No. 1 of Douglas County, Washington. Docket No. E-9569, State of Washington Department of Fisheries vs. Public Utility District No. 2 of Grant County, Washington.

CAP-2. Docket No. ER79-603, Connecticut Light & Power Co.

CAP-3. Docket Nos. E-7690 and ER79-238, New England Power Pool.

CAP-4. Docket No. ER78-512, Wisconsin Electric Power Co.

CAP-5. Docket No. ER78-506, Wisconsin Public Service Co.

Miscellaneous Agenda—342nd Meeting, October 10, 1979, Regular Meeting

CAM-1. Docket No. RA79-35, Amoco Oil Co.
CAM-2. Section 404 referral of a proposed rule by DOE relative to strategic petroleum reserve crude oil allocation.

Gas Agenda—342nd Meeting, October 10, 1979, Regular Meeting

CAG-1. Docket Nos. RP73-114 and RP78-72, Tennessee Gas Pipeline Co., a Division of Tenneco, Inc.

CAG-2. Docket Nos. RP73-89 and RP77-6 (PGA No. 79-2A), Sea Robin Pipeline Co.

CAG-3. Docket No. RP72-156 (PGA79-2, DCA79-2), Texas Gas Transmission Corp.

CAG-4. Docket No. RP78-56, Northern Natural Gas Co.

CAG-5. Docket No. RP78-94, Texas Gas Transmission Corp.

CAG-6. Docket No. RP77-108, Transcontinental Gas Pipe Line Corp.

CAG-7. Docket No. RP75-74, Transwestern Pipeline Co.

CAG-8. Docket Nos. CI78-473, CI78-485 and CI78-486, Texaco Inc.

CAG-9. Docket No. CI79-593, Texaco Inc.

CAG-10. Docket No. CI79-504, Transco Exploration Co. Docket No. CI79-593, Texaco Inc. Docket No. CI77-819, Southland Royalty Co. Docket No. CI79-523, Tenneco Oil Co. Docket Nos. CI79-172, *et al.*, General American Oil Co. of Texas, *et al.* Docket No. CI79-234, Gulf Oil Corp. Docket No. CI79-554, Terra Resources, Inc. Docket No. CI79-562, Terra Resources, Inc. Docket No. CI78-683, Sun Oil Co. Docket No. CI79-110, General American Oil Co. of Texas. Docket No. CI79-160, Ocean Production Co. Docket No. CI79-171, Aminoil Development, Inc.

CAG-11. Docket No. CI77-158, Chevron U.S.A. Inc.

CAG-12. Docket No. TC79-8, Transcontinental Gas Pipe Line Corp.

CAG-13. Docket Nos. CP79-214, *et al.*, and CP79-228, Transcontinental Gas Pipe Line Corp.

CAG-14. Docket No. CP79-304, Tennessee Gas Transmission Co. Docket No. CP79-312, Transcontinental Gas Pipe Line Corp.

CAG-15. Docket No. CP79-331, Trunkline Gas Co.

CAG-16. Docket No. CP79-328, Natural Gas Pipeline Co. of America.

CAG-17. Docket No. CP68-111, Florida Gas Transmission Co.

CAG-18. Docket Nos. CP79-436 and CP79-461, Columbia Gas Transmission Corp.

CAG-19. Docket No. CP79-395, Cities Service Gas Co.

CAG-20. Docket No. CP79-311, Tennessee Gas Pipeline Co., a Division of Tenneco Inc.

CAG-21. Docket No. CP79-313, Transcontinental Gas Pipe Line Corp.

Power Agenda—342nd Meeting, October 10, 1979, Regular Meeting

I. Electric Rate Matters

ER-1. Docket No. ER79-536, Cambridge Electric Light Co.

ER-2. Docket Nos. EL79-26 and ER79-600, Central Power & Light Co.

ER-3. Docket No. EL79-13, Iowa Power & Light Co.

ER-4. Docket No. EF79-3052, Southeastern Power Administration.

Miscellaneous Agenda—342nd Meeting, October 10, 1979, Regular Meeting

M-1. Reserved.

M-2. Reserved.

M-3. Docket No. RM79-23, regulations

prescribing general provisions for preliminary permit and license applications; regulations governing applications for, amendments to, and cancellation of preliminary permits.

M-4. Docket No. RM79-00, interim rule bona fide offers; right of first refusal.

M-5. Docket No. RM79-00, final rule governing the maximum lawful price for pipeline, distributor or affiliate production.

M-6. Docket No. RM79-15, final regulation for the implementation of Section 401 of the Natural Gas Policy Act.

M-7. Docket No. RM79-44, high-cost natural gas.

M-8. Docket No. RM79-68, final rule amending regulations on new natural gas and certain natural gas produced from the Outer Continental Shelf.

M-9. Docket No. GP79-36, State of Montana Section 102 NGPA determination, Shell Oil Co. eight wells.

M-10. Docket No. GP79-51, Dugan Production Corp. OJO-HE-HE #4, USGS Docket No.

NM-103-78, FERC No. JD79-8055.

M-11. Well category determinations.

Gas Agenda—342nd Meeting, October 10, 1979, Regular Meeting

I. Pipeline Rate Matters

RP-1. Docket No. RP73-65 (PGA77-4), Columbia Gas Transmission Corp.

RP-2. Docket Nos. RP72-23 (AP-61475), *et al.*, Trunkline Gas Co.

II. Producer Matters

CI-1. Gas Rate Schedule No. 10, Pennzoil Co.

III. Pipeline Certificate Matters

CP-1. Docket No. RP75-51, Transcontinental Gas Pipe Line Corp.

CP-2. Docket No. TC79-137, Northwest Pipeline Corp.

CP-3. Docket Nos. CP75-140, *et al.*, Pacific Alaska LNG Co., *et al.* Docket Nos. CP74-160, *et al.*, Pacific Indonesia LNG Co., *et al.* Docket No. CI78-453, Pacific Lighting Gas

Development Co. Docket No. CI78-452, Pacific Simpcos partnership.
CP-4. Docket No. CP79-252, United Gas Pipe Line Co. and Southern Natural Gas Co.

Kenneth F. Plumb,
Secretary.

[S-1953-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 6450-01-M

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FEDERAL MARITIME COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 44 FR 56096, September 28, 1979.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 A.M., OCTOBER 3, 1979.

CHANGE IN THE MEETING: Addition of the following item to the open session:

13. Sea-Land Service Reduced Rates on Sugar—Draft Order of Investigation and Docket No. 79-85: Trailer Marine Transport—Reduced Rates on Sugar.

[S-1943-79 Filed 10-3-79; 5:08 pm]
BILLING CODE 6730-01-M

9

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 10 a.m., October 10, 1979.

PLACE: Hearing Rm. #1, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions Open to the Public

1. Monthly Report of the Managing Director of actions pursuant to delegated authority.

2. Agreement Nos. 9427-4 and 9552-3—Modifications to the Germany-North Atlantic Ports Rate Agreement and the North Atlantic West Europe Rate Agreement regarding inland operations in conjunction with intermodal shipments.

3. Agreements Nos. 161-31 and 10140-2: Modifications of the Gulf-United Kingdom Conference Agreement and the Gulf-United Kingdom Rate Agreement, respectively, to add interior United States and United Kingdom points to their scopes and related amendments.

4. Revocation of Certificates of Performance and Casualty issued to Venture Cruise Lines, Inc. and Venture Cruise Lines of NY, Inc. covering the S.S. America.

5. Agreement No. 10304: U.S.A. Algeria Discussion Agreement between Lykes Bros. Steamship Co. Inc., American Export Lines, Prudential Lines, Inc. and CNAN.

6. Docket Nos. 78-27: *Merck, Sharp & Dohme v. Kawasaki Kisen Kaisha*; 79-42: *Merck Sharp & Dohme v. Mitsui O.S.K. Lines, Ltd.*; and 79-43: *Merck, Sharp & Dohme v. Japan Line, Ltd.*—Decision on request for oral argument and possible consideration of the record.

7. Docket No. 78-49: *Emile Bernat & Sons Co. v. United States Lines, Inc., et al.*—

Consideration of discontinuance of proceeding.

8. Docket No. 79-15: *Westinghouse Electric Corporation v. Sea-Land Service, Inc.*—Consideration of order terminating the proceeding.

9. Docket No. 79-53: John C. Grandon d.b.a. Consulspeed Services—Independent Ocean Freight Forwarder License No. 2011—Consideration of the record.

10. Proposed Revision of General Order 4—Rules governing the licensing of independent ocean freight forwarders.

11. Docket No. 79-49: Intervention in Commission Proceedings—Consideration of comments submitted in response to notice of proposed rulemaking.

Portions Closed to the Public

1. *Baltic Shipping Co. v. F.M.C. & U.S.A.*, Cir 79-1181—Consideration of status of case.

2. Docket No. 79-83: Investigation of Unfiled Agreements in the North Atlantic Trades—Grand Jury Proceedings Regarding North Atlantic Trades.

CONTACT PERSON FOR MORE

INFORMATION: Francis C. Hurney,
Secretary (202) 523-5725.

[S-1944-79 Filed 10-3-79; 5:10 pm]
BILLING CODE 6730-01-M

10

MISSISSIPPI RIVER COMMISSION.

TIME AND DATE: 9:00 a.m., October 29, 1979.

PLACE: On board MV *Mississippi* at Cape Girardeau, Missouri.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: (1) Report by the president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting; (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; (3) District Engineer's report on the Mississippi River and Tributaries Program in Memphis District.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Rodger D. Harris,
telephone 601-636-1311, extension 5766.

[S-1954-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 3710-GX-M

11

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., October 30, 1979.

PLACE: On board MV *Mississippi* at City Front, Vicinity of Beale Street, Memphis, Tennessee.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: (1) Report by the president on general conditions of the Mississippi River and Tributaries

Project and major accomplishments since the last meeting; (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Rodger D. Harris,
telephone 601-636-1311, extension 5766.

[S-1955-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 3710-GX-M

12

MISSISSIPPI RIVER COMMISSION.

TIME AND DATE: 2:00 p.m., October 31, 1979.

PLACE: On board MV *Mississippi* at Lake Providence Port, Louisiana.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: (1) Report by the president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting; (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; (3) District Engineer's report on the Mississippi River and Tributaries Program in Vicksburg District.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Rodger D. Harris,
telephone 601-636-1311, extension 5766.

[S-1956-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 3710-GX-M

13

MISSISSIPPI RIVER COMMISSION.

TIME AND DATE: 2:30 p.m., November 2, 1979.

PLACE: On board MV *Mississippi* at Coast Guard Dock, Morgan City, Louisiana.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: (1) Report by the president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting; (2) views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; (3) District Engineer's report on the Mississippi River and Tributaries Program in New Orleans District.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Rodger D. Harris,
telephone 601-636-1311, extension 5766

[S-1957-79 Filed 10-4-79; 3:07 pm]
BILLING CODE 3710-GX-M

14

**NATIONAL CREDIT UNION
ADMINISTRATION.****TIME AND DATE:** 9:30 a.m., October 10, 1979.**PLACE:** 2025 M Street, NW., Washington, D.C., 4th Floor Conference Room.**STATUS:** Open.**MATTERS TO BE CONSIDERED:**

1. Proposed modification of Interagency Truth-in-Lending Reimbursement Program.
2. Review of Interagency Policy Statement on "Discriminatory Employment Practices in Financial Institutions."

3. Treasury Department's McFadden Report.

4. Credit union reporting of monetary data to aid the Federal Reserve in implementing monetary policy.

5. Executive Development/Senior Executive Service Plan and Budget.

6. Applications for charters, amendments to charters, bylaw amendments, mergers, conversions and insurance as may be pending at that time.

7. Review of Central Liquidity Facility lending rates.

RECESS: 10:45 a.m.**TIME AND DATE:** 11:00 a.m., October 10, 1979.**PLACE:** 2025 M Street NW., Washington, D.C., 4th Floor Conference Room.**STATUS:** Closed.**MATTERS TO BE CONSIDERED:**

1. Requests from federally insured credit unions for special assistance under Section 208 of the Federal Credit Union Act in order to prevent their closing. Closed pursuant to exemptions (8) and (9)(A)(ii).

2. Administrative Action. Closed pursuant to exemptions (8), (9)(A)(ii), and (10).

CONTACT PERSON FOR MORE**INFORMATION:** Rosemary Brady, Secretary of the Board, telephone (202) 254-9800.

[S-1958-79 Filed 10-4-79; 3:07 pm]

BILLING CODE 7535-01-M

15

NATIONAL MEDIATION BOARD.**"FEDERAL REGISTER" CITATION OF
PREVIOUS ANNOUNCEMENT:** 43 FR 55487.
**PREVIOUSLY ANNOUNCED TIME AND DATE
OF THE MEETING:** 2:00 p.m., Wednesday,
October 3, 1979.**CHANGES IN THE MEETING:** Addition to
matters to be considered—
Determination that the Board's current
allocation of parking spaces is subject to
Exemption 5a of OMB Circular A-118,
dated August 13, 1979, as implemented
by Federal Property Management
Temporary Regulation D-85 (44 FR
53162).**SUPPLEMENTARY INFORMATION:**

Chairman Harris and Board Members

Ives and Brown have determined by
recorded vote that Agency business
required this change and that no earlier
announcement of such change was
practicable.**Date of Notice:** October 4, 1979.

[S-1951-79 Filed 10-4-79; 1:20 pm]

BILLING CODE 7550-01-M

16

NUCLEAR REGULATORY COMMISSION**TIME AND DATE:** Thursday, October 4,
1979.**PLACE:** Commissioners' Conference
Room, 1717 H Street, NW., Washington,
D.C.**STATUS:** Open.**MATTERS TO BE CONSIDERED:****9:30 a.m.**Discussion of radioactively
contaminated water at Three Mile
Island, and related subject (EPICOR II)
(continued from 9/28) (approx 1½ hours,
public meeting) (replaces "Briefing on
Siting Policy Task Force Report" which
is postponed).**CONTACT PERSON FOR MORE****INFORMATION:** Walter Magee (202) 634-
1410.

Walter Magee,

Office of the Secretary.

[S-1961-79 Filed 10-4-79; 3:07 pm]

BILLING CODE 7590-01-M

17

NUCLEAR REGULATORY COMMISSION.**TIME AND DATE:** Wednesday, October 10,
1979.**PLACE:** Commissioner's Conference
Room, 1717 H Street NW., Washington,
D.C.**STATUS:** Open and Closed.**MATTERS TO BE CONSIDERED:****9:30 a.m.**

1. Discussion of petitions seeking leave to
intervene in a hearing on Philippine
applications (approximately 1½ hours, public
meeting).

2. Affirmation session (approximately 10
minutes, public meeting):

- a. Approval of employment under section
145(b) (tentative),
- b. ALAB-531 (Trojan).

CONTACT PERSON FOR MORE**INFORMATION:** Walter Magee (202) 634-
1410.

Walter Magee,

Office of the Secretary.

[S-1982-79 Filed 10-4-79; 3:07 pm]

BILLING CODE 7590-01-M

18

POSTAL RATE COMMISSION.**TIME AND DATE:** 2:00 p.m., October 17,
1979.**PLACE:** Conference Room, Room 500,
2000 L Street NW., Washington, D.C.**STATUS:** Closed.**MATTERS TO BE CONSIDERED:** Docket No.
MC78-3 [closed pursuant to 5 U.S.C.
558b(c)(10)].**CONTACT PERSON FOR MORE****INFORMATION:** Dennis Watson,
Information Officer, Postal Rate
Commission, Room 500, 2000 L Street,
NW., Washington, D.C. 20268, telephone
(202) 254-5614.

[S-1948-79 Filed 10-4-79; 11:44 am]

BILLING CODE 7715-01-M

19

POSTAL RATE COMMISSION.**TIME AND DATE:** 3:00 p.m., October 18,
1979.**PLACE:** Conference Room, Room 500,
2000 L Street NW., Washington, D.C.**STATUS:** Closed.**MATTERS TO BE CONSIDERED:** Docket No.
MC78-1 [closed pursuant to 5 U.S.C.
558b(c)(10)].**CONTACT PERSON FOR MORE****INFORMATION:** Ned Callan, Information
Officer, Postal Rate Commission, Room
500, 2000 L Street NW., Washington,
D.C. 20268, telephone (202) 254-5614.

[S-1949-79 Filed 10-4-79; 11:44 am]

BILLING CODE 7715-01-M

20

RAILROAD RETIREMENT BOARD.**TIME AND DATE:** 10:00 a.m., October 15,
1979.**PLACE:** Board's meeting room on the 8th
floor of its headquarters building at 844
Rush Street, Chicago, Illinois 60611.**STATUS:** Part of this meeting will be
open to the public. The rest of the
meeting will be closed to the public.**MATTERS TO BE CONSIDERED:****Portion Open to the Public**

- (1) Proposal to amend Board regulations
concerning recovery of erroneous payments
(*Pope and Williams, et al. v. RRB*).

- (2) Proposal to amend Board regulations on
notifying claimants of initial decisions by the
bureau of retirement claims.

- (3) Proposed steps for dealing with backlog
of appeals in the bureau of hearings and
appeals.

Portions Closed to the Public

- (4) Appeal from referee's denial of an
occupational disability annuity, George J.
May.

- (5) Reinstatement of widow's annuities
based upon annulment, Emma Best Barrett.

(6) Appeal from referee's denial of disability annuity application, Georgia G. Dintelman.

(7) Appeal from referee's denial of establishment of a "disability freeze" period, Lloyd D. Ferguson.

(8) Appeal from referee's denial of disability annuity application, William D. McDermott.

(9) Appeal from referee's denial of disability annuity application, Arnold L. Marcum.

(10) Appeal from referee's denial of an occupational disability annuity, Warren C. Alt.

(11) Appeal from referee's denial of widow's insurance annuity, Florence J. Van Slyck.

(12) Appeal from referee's denial of widow's insurance annuity, Gladys M. Thomas.

(13) Appeal from referee's denial of disability annuity application, James A. Luzzader.

(14) Splitting of continuous period of military service under Railroad Retirement Act and Social Security Act, James P. Kiernan.

(15) Appeal from referee's denial of disability annuity application, Calvin F. Veale.

(16) Appeal from referee's denial of disability annuity application, Jerry L. Massey.

(17) Appeal filed too late, Eugene S. Eicher.

(18) Appeal from referee's denial of disabled child's insurance annuity, Willie H. Brookins.

(19) Appeal of August A. Miele, Jr., under the Railroad Unemployment Insurance Act.

CONTACT PERSON FOR MORE

INFORMATION: R. F. Butler, Secretary of the Board, COM No. 312-751-4920, FTS No. 387-4920.

[S-1950-79 Filed 10-4-79; 1:20 pm]

BILLING CODE 7905-01-M

21

SECURITIES AND EXCHANGE COMMISSION.

Notice is hereby given pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of October 9, 1979, in Room 825, 500 North Capitol Street, Washington, D.C.

Open meetings will be held on Wednesday, October 10, 1979, at 10:00 a.m. and at 1:30 p.m. and on Thursday, October 11, 1979, at 9:30 a.m. Closed meetings will be held on Wednesday, October 10, 1979, immediately following the 10:00 a.m. open meeting and on Thursday, October 11, 1979, at 2:30 p.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meetings. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meetings may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A), and (10) and 17 CFR 200.402(a) (8), (9)(i), and (10).

Chairman Williams and Commissioners Loomis, Evans, Pollack, and Karmel determined to hold the aforesaid meetings in closed session.

The subject matter of the open meeting scheduled for Wednesday, October 10, 1979, at 10:00 a.m., will be:

1. Consideration of whether to amend (1) Rule 17a-19 and Form X-17A-19 regarding reports by national securities exchanges and registered national securities associations of changes in the membership status of their members and (2) Rule 17a-5(b) regarding reports filed upon termination of membership interest. For further information, please contact Ellen Kerrigan at (202) 272-2364.

2. Consideration of what response to make to the request of the Senate Committee on Banking, Finance and Urban Affairs for the Commission's comments concerning S. 1058, the "Voluntary Broadened Stock Ownership, Job Preservation, and Community Stabilization Act," which is intended to preserve jobs and stabilize communities by assisting employee or employee-community organizations in acquiring ownership of business concerns that would otherwise close, be sold to unrelated outside interests, or move away from the community. For further information, please contact Nicholas Gimbel at (202) 272-2438.

3. Consideration of whether to announce that the Commission will take no enforcement action against issuers for not qualifying indentures pursuant to the Trust Indenture Act of 1939 in connection with offerings of \$1,500,000 or less of debt securities during any consecutive twelve-month period which are registered on Form S-18. For further information, please contact Robert Rupp at (202) 272-2644.

The subject matter of the closed meeting scheduled for Wednesday, October 10, 1979, immediately following the 10:00 a.m. open meeting, will be:

Subpoena enforcement action.
Freedom of Information Act appeals.
Litigation matters.
Chapter X proceeding.
Formal orders of investigation.
Application for re-entry into employment and in the securities industry.
Order compelling testimony.
Institution of administrative proceedings of an enforcement nature.
Institution of injunctive actions.
Consideration of amicus participation.

The subject matter of the open meeting scheduled for Wednesday, October 10, 1979, at 1:30 p.m., will be:

Meeting with Professor Louis Loss of Harvard Law School to discuss the American Law Institute Proposed Federal Securities Code.

The subject matter of the open meeting scheduled for Thursday, October 11, 1979, at 9:30 a.m., will be:

Meeting with Professor Louis Loss of Harvard Law School to discuss the American Law Institute Proposed Federal Securities Code.

The subject matter of the closed meeting scheduled for Thursday, October 11, 1979, at 2:30 p.m., will be:

Institution of injunctive action.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Beverly Rubman at (202) 272-2092.

October 3, 1979.

[S-1942-79 Filed 10-3-79; 4:41 pm]

BILLING CODE 8010-01-M

22

TENNESSEE VALLEY AUTHORITY: (Meeting No. 1228).

TIME AND DATE: 9:30 a.m., Thursday, October 11, 1979.

PLACE: Central YMCA, 301 W. 6th Street, Chattanooga, Tennessee.

STATUS: Open.

MATTERS FOR ACTION:

Personnel Actions

1. Change of status for Wayne P. Myers from Chief, Manpower Programs Branch, to Acting Director, Division of Community Services, Office of Community Development, Knoxville, Tennessee.*

2. Change of status for Lee C. Sheppard from Assistant Director of Information to Acting Director of Information, Office of the General Manager, Knoxville, Tennessee.*

3. Appointment of John G. Stewart as Manager of Planning and Budget, Office of the General Manager, Knoxville, Tennessee.*

Consulting and Personal Services Contracts

1. Renewal of personal service contracts with various contractors for architectural, engineering, and design services, requested by the Office of Engineering Design and Construction. (Bechtel Power Corporation, San Francisco, California; C.F. Braun & Company, Alhambra, California; Brown & Root Development, Inc., Houston, Texas; Burns and Roe, Inc., Oradell, New Jersey; Ebasco Services, New York, New York; Gibbs & Hill, Inc., New York, New York; Gilbert Associates, Incorporated, Reading, Pennsylvania; Sargent & Lundy, Chicago, Illinois; Stone & Webster Engineering Corporation, Boston, Massachusetts; and United Engineers & Constructors, Inc., Philadelphia, Pennsylvania.)

*These items were approved by individual Board members. This would give formal ratification to the Board's action.

Purchase Awards

1. Rejection of bids received in response to Invitation No. 824669 for diesel engine-driven emergency generator units for Yellow Creek Nuclear Plant Units 1 and 2.
2. Rejection of bids received in response to Invitation No. 825259 for centrifugal induced-draft fans for Colbert Steam Plant.
3. Req. No. 108257—Conductor cable, ACSR, for various 161-kV transmission lines.
4. Req. No. 825431—Structural steel framing for crane runway for Yellow Creek Nuclear Plant.
5. Req. No. 821600—Requirements contract for controls and metering equipment for Yellow Creek Nuclear Plant.
6. Req. No. 119989—500 kV power transformers for Montgomery, Tennessee, Substation—500kV.
7. Req. No. 572865—Indefinite quantity term contract for diesel fuel oil for any TVA project or warehouse.
8. Req. No. 825673—Indefinite quantity term contract for pipe, fittings, tubing, flanges, and accessories for Watts Bar Nuclear Plant and Bellefonte Nuclear Plant.
9. Req. No. 160365—Material for steam generator modifications for Johnsonville Steam Plant, Units 7-10.
10. Sales Invitation No. 4078—Sale by TVA of Marion shovel and Marion dragline, with parts and accessories, located at Fabius and Eads Mines.

Project Authorizations

1. No. 3241.2—Amendment to project authorization for wet-process phosphoric acid pilot-plant processes.
2. No. 2275.2—Amendment to project authorization for construction of Bear Creek Multipurpose Water Control System.
3. No. 3477—Demonstration of a commercial-scale coal gasification facility producing medium-Btu gas—Phase I: Conceptual design and support.
4. No. 3293.5—Amendment to project authorization for solar energy research, development, and demonstration in the TVA area—Subprogram 4: Commercial implementation—solar heating and cooling.

Power Items

1. Agreement covering TVA's participation in the Boiling Water Reactor Owners Group for research on materials used in boiling water reactor systems.
2. Supplement to Contract No. TV-49086A with Electric Power Research Institute, Palo Alto, California, to increase TVA's contribution to EPRI membership agreement for support of Nuclear Safety Analysis Center.
3. Letter agreement with the city of Humboldt, Tennessee, covering application of credit to customers' bills.
4. Interagency agreement with Department of Energy for coal characterization assessment.*
5. Lease and amendatory agreement with the city of Elizabethton, Tennessee, covering arrangements for consolidated 69-kV service in the Milligan College-Okolona area.
6. Lease and amendatory agreement with Cumberland Electric Membership Corporation covering lease of TVA's White

House Substation located in Robertson County, Tennessee.

Real Property Transactions

1. Filing of condemnation suits.
2. Sale of permanent easement for State governmental purposes affecting approximately 7.2 acres of the Lonsdale Substation property in Knox County, Tennessee—Tract XLONSS-4SU.
3. Abandonment of reserved road rights of way affecting 1.6 acres of Watts Bar Reservoir land in Rhea County, Tennessee—Tracts XWBR-64 and XWBR-65.

Unclassified

1. Letter agreement with Cherokee County, North Carolina, for preparation of county land map.
 2. Amendments to interagency agreement with U.S. Department of Labor for development of computer-based labor information and forecasting system for construction known as Construction Labor Demand System.*
 3. Agreement with Northeast Mississippi Junior College for development and implementation of an educational training center adjacent to the Yellow Creek Nuclear Plant project near Iuka, Mississippi.
 4. Revised TVA policy code relating to sale, rental, and exchange of power equipment.
 5. Exception from adverse action procedures and Federal administrative appeal rights for TVA employees in positions at grades M-8 and above.
 6. Filling of critical-sensitive position of Assistant Manager of Power Operations pending full field investigation.
 7. Short-term borrowing from the Treasury.
 8. Interim budget plan for fiscal year 1980.
- Dated: October 4, 1979.

CONTACT PERSON FOR MORE

INFORMATION: Lee C. Sheppard, Acting Director of Information, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-3257, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245-0101.

[S-1983-79 Filed 10-4-79; 3:57 pm]

BILLING CODE 8120-01-M

Tuesday
October 9, 1979

Part II

**Equal Employment
Opportunity
Commission**

Clarification of Pregnancy Act Guidelines,
Questions 29 and 30

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**29 CFR Part 1604****(N-915)****Clarification of Pregnancy Act Guidelines, Questions 29 and 30****AGENCY:** Equal Employment Opportunity Commission.**ACTION:** Interim Rule.

SUMMARY: This document clarifies the Commission's enforcement position with regard to charges alleging violations of the Pregnancy Act.

EFFECTIVE DATE: September 28, 1979.**FOR FURTHER INFORMATION CONTACT:**

Frederick Dorsey, Director, Office of Policy Implementation, Equal Employment Opportunity Commission, 2401 E Street, NW., Washington, D.C. 20506, (202) 634-7060.

SUPPLEMENTARY INFORMATION: On April 20, 1979, the Equal Employment Opportunity Commission published Final Interpretive Guidelines, Questions and Answers, related to the Pregnancy Discrimination Act, at 44 FR 23804.

On September 28, 1979, the Commission adopted the attached Notice for distribution to staff. The Notice clarifies the Commission's enforcement position with regard to charges alleging violations of the Pregnancy Act in the areas addressed by Questions and Answers 29 and 30. Coordination of this matter with other affected federal agencies, as is required by Executive Order 12067, is presently taking place. Should the coordination efforts result in any changes in the attached Notice, the revised Notice will be published in the Federal Register.

For the Commission.

Dated: September 28, 1979.

Eleanor Holmes Norton,

Chair.

Notice.—Automatically cancelled in ninety days

Number: N-915.

Date: September 28, 1979.

1. *Subject.* Interim changes in processing certain pregnancy discrimination charges.

2. *Purpose.* This notice sets forth the Commission's interpretation of the requirements for compliance with the Pregnancy Discrimination Act, Pub. L. 95-555, 92 Stat. 2076 (1978), as discussed in the Answers to Questions 29 and 30 of the Commission's "Questions and Answers on the Pregnancy Discrimination Act", published at 44 F.R. 23804, 23808 (April 20, 1979) and specifically, the manner of compliance during the transition period provided by Section 3 of the Act.

Further, this notice provides interim guidance on the disposition of certain charges brought pursuant to Section 701(k) of Title VII, as amended, dealing specifically with pregnancy benefits as discussed in Question and Answer Numbers 29 and 30.

3. *Originator.* Office of Policy Implementation, Office of Field Services and Office of the General Counsel.

4. *Effective date.* September 28, 1979

5. *Responsibilities.* District and Area Directors are responsible for ensuring that all Equal Opportunity Specialists are familiar with the instructions and the interpretation in this Notice and that letters of determination drafted in or issued from their offices conform to these instructions.

6. *Interpretation.* Questions 29 and 30 deal with health insurance plans which provide benefits for pregnancy and related medical conditions on an extended basis, i.e., the plans pay the expenses of pregnancy-related medical conditions after employment has terminated if conception occurred prior to the termination of employment.

The Commission in Questions 29 and 30 correctly took the position that, in order to come into compliance with the Act by April 29, 1979, employers who provided extended benefits for pregnancy and related medical conditions at the date of enactment of the Pregnancy Discrimination Act, would have to provide extended benefits on the same basis for other medical conditions. Consistent with settled legal principles, the Commission could have taken no other position on the application of Title VII to the issue of extended benefits as expressed in Questions and Answers 29 and 30, and its view of the applicable Title VII law remains unchanged.

However, Section 3 of the Pregnancy Discrimination Act read in conjunction with the legislative history leads us to the conclusion that Congress did not intend to require employers to provide extended benefits for all conditions between the effective date of the Act and October 31, 1979.

Section 3 of the Pregnancy Discrimination Act prohibits the reduction of benefits (for a one year period or until the expiration of a later-expiring collective bargaining agreement) in order to come into compliance with the Act. Hence, extended benefits for pregnancy and related conditions may not be reduced to achieve compliance.

The legislative history demonstrates that, in including Section 3, Congress intended that the Act "not interfere with the legitimate expectations of employees as regards their current fringe benefit coverage, or result in instability in labor-management relations." Sen. Rep. No. 95-331, 95th Cong. 2d Sess., at 8 (1978). Withdrawing extended benefits for pregnancy before October 31, 1979 would in fact interfere with the "legitimate expectations" that employees held as to extended benefit coverage. Similarly, raising benefits of all workers during the transition period could result in "instability in labor-management relations".

Accordingly, it is the Commission's position that compliance with the Pregnancy Discrimination Act does not require health insurance plans which, on the effective date of the Act, provided extended benefit

coverage for pregnancy and related conditions to expand extended benefit coverage to include other conditions before October 31, 1979 or the later expiration of an existing collective bargaining agreement.

7. *Instructions.* In all charges of discrimination which allege that an employer failed to provide extended benefits for medical conditions other than pregnancy or provided extended benefits for pregnancy on a more favorable basis than medical conditions other than pregnancy before October 31, 1979 (or the later expiration of an existing collective bargaining agreement), the charge shall be taken and a no cause letter of determination issued immediately.

In all charges of discrimination which raise the above allegation(s), among others, the investigation shall proceed as usual on the other allegations and the letter of determination shall include a no clause finding on the allegation(s) mentioned above.

Preston David,

Executive Director.

Filing instructions: File behind Section 411, Discrimination on the Basis of Pregnancy, Childbirth or Related Medical Conditions.

[FR Doc. 79-30931 Filed 10-5-79; 8:45 am]

BILLING CODE 6570-06-M

**Tuesday
October 9, 1979**

Part III

**Environmental
Protection Agency**

**Denial or Restriction of Disposal Site;
Final Rule**

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 231**

[FRL 1292-6]

**Denial or Restriction of Disposal Sites;
Section 404(c) Procedures****AGENCY:** Environmental Protection
Agency.**ACTION:** Rule.

SUMMARY: These regulations establish the procedures to be used when EPA is considering the use of Section 404(c) of the Clean Water Act to prevent the discharge of dredged or fill material into a defined area in the waters of the United States. Under section 404 of that Act, permits are issued by the Corps of Engineers for the disposal of dredged or fill material at specified sites in the waters of the United States.

Section 404(c) gives the Administrator authority to prohibit or withdraw the specification of a site as a disposal site or to deny or restrict use of a disposal site. In effect, section 404(c) authority may be exercised before a permit is applied for, while an application is pending, or after a permit has been issued. In each case, the Administrator may prevent any defined area in waters of the United States from being specified as a disposal site, or may simply prevent the discharge of any specific dredge or fill material into a specified area. In either case, the Administrator must determine, after notice and opportunity for public hearing, that the discharge of material will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding grounds), wildlife or recreational areas.

EFFECTIVE DATE: October 9, 1979.

ADDRESS: Comments submitted on these regulations may be inspected at the Public Information Reference Unit, EPA Headquarters, Room 2922, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460, between 8 a.m. and 4 p.m. on business days.

FOR FURTHER INFORMATION CONTACT: David G. Davis, Chief, 404 Section, Criteria and Standards Division (WH-585), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, telephone—202-472-3400.

SUPPLEMENTARY INFORMATION:

Section 404(c) of the Clean Water Act (CWA), 33 U.S.C. § 1344(c), was initially enacted in the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500, 86 Stat. 816. These are the first regulations implementing section 404(c)

to be published. The regulations establish procedures to be used by EPA in considering the use of section 404(c) to prevent the discharge of dredged or fill material into a defined area in waters of the United States. The regulations were proposed in the Federal Register on March 13, 1979 (44 FR 14578). Public comment was received on the proposal for 60 days. These regulations reflect comments received.

Section 404 of the Clean Water Act establishes a permit program, administered by the Secretary of the Army, acting through the Chief of Engineers of the U.S. Army Corps of Engineers, to regulate the discharge of dredged or fill material. Under that program, permits are issued for the disposal of dredged or fill material at specified sites in the waters of the United States. Under section 404(g) states may receive approval from the Administrator to administer permit programs for sites in certain waters of the United States in lieu of the program administered by the Corps of Engineers. Applications for section 404 permits are evaluated by the Corps and by states using guidelines developed by the Administrator under section 404(b). These guidelines are contained in 40 CFR Part 230. The Chief of Engineers may issue a permit that is inconsistent with those guidelines only if the economic impact of the site on navigation and anchorage warrants it.

Section 404(c) gives the Administrator authority to prohibit or withdraw the specification of a site as a disposal site or to deny or restrict use of a disposal site. In effect, section 404(c) authority may be exercised before a permit is applied for, while an application is pending, or after a permit has been issued. In each case, the Administrator may prevent any defined area in waters of the United States from being specified as a disposal site, or may simply prevent the discharge of any specific dredge or fill material into a specified area. In either case, the Administrator must determine, after notice and opportunity for public hearing, that the discharge of material will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding grounds), wildlife or recreational areas. The Administrator may also use section 404(c) where the site in question is covered by a state 404 permit program.

The Administrator's section 404(c) authority should not be confused with his right to comment on and object to permit applications. Under the Corps' regulations (33 CFR 323.5 and 325.3), EPA has an opportunity to comment on

and, where appropriate, to object to applications for Corps permits. Similarly, under section 404(j), EPA may also comment on and object to applications for state permits. While the Corps may in certain circumstances override EPA's objections to a permit application, it may not override the Administrator's veto of a site under section 404(c). Nor should section 404(c) authority be confused with the Administrator's obligation under section 309 of the Clean Air Act to comment on environmental impact statements prepared for section 404 projects and to refer such projects to the Council on Environmental Quality when he finds them to be environmentally unsatisfactory.

Comments, objections to Corps permits, and CEQ referrals may be based on any kind of environmental impacts, including ones prohibited by the section 404(b) guidelines, effects on air quality, and increased noise. Objections to state permits may be based on any of the grounds specified in the Consolidated Permit Regulations, 44 FR 34244, June 14, 1979. On the other hand, 404(c) authority may be exercised only where there is an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding grounds), wildlife or recreational areas. The section 404(b)(1) guidelines provide the substantive criteria by which the acceptability of a proposed discharge is to be judged.

**Comments on the Proposed Section
404(c) Regulations**

In keeping with EPA's policy to involve the public in the development of the 404(c) regulations public comments were received by the Agency during the official 60-day comment period dating from March 13, 1979 to May 14, 1979. As of May 14, we had received 29 comments from the following sources: Federal agencies—2, state agencies—4, conservation groups—4, industry—14, others—5. These comments have been considered in the development of the final guidelines.

The discussion which follows responds to the comments received on the proposed regulations. Changes made in the final form of the regulations in response to public comment are discussed as are the Agency's response to significant comments that did not lead to changes. The citations in the discussion of comments are to sections of the final 404(c) regulations.

Use of 404(c) Before Permit Application

A number of commenters objected to the use of 404(c) to protect a site before

there is a permit application to use the site. Several argued that such prospective use was outside the scope of section 404(c), either because they interpreted the phrase "any defined area" to refer to an area defined during the permit process or because they felt that pre-permit vetos would not be practical. One commenter cited some legislative history to support his objection. On the one hand, several other commenters not only argued that section 404(c) gave EPA the authority to use its veto pre-permit, but also argued that EPA should provide more explicitly for such use, and exercise it as the preferred course.

EPA feels that the statute clearly allows it to use 404(c) before an application is filed. First, the statute says that the Administrator is authorized to take action "whenever" he makes certain determinations. Second, the actions he is authorized to take are not limited to permit situations. Rather, he may prohibit the specification of a site or deny or restrict the use of a site for specification. The phrase "any defined area" does not lead to a contrary conclusion. That phrase merely means that a 404(c) action must be directed at a particular or identifiable area rather than "wetlands" or some other generic category. The Corps does not "define" areas through the permit process; it "specifies" them.

EPA also feels that there are strong reasons for including this pre-permit authority in the present regulations. Such an approach will facilitate planning by developers and industry. It will eliminate frustrating situations in which someone spends time and money developing a project for an inappropriate site and learns at an advanced stage that he must start over. In addition, advance prohibition will facilitate comprehensive rather than piecemeal protection of wetlands.

EPA disagreed with those commenters who felt that the regulations did not make the pre-permit application of 404(c) explicit enough. The number of objections to pre-permit use refutes that fear. Because the regulations as proposed already cover the pre-permit situation, EPA did not adopt one organization's suggestion for a separate procedure for that situation. EPA's procedure is quite similar to the one suggested by the commenter. For example, EPA agrees that it is appropriate to have the Administrator have the opportunity to make the final determination to ensure consistency. One commenter said that pre-permit actions were inappropriate because it would be impractical to identify

unacceptable adverse effects before a specific discharge is proposed. At least in theory, there are instances where a site may be so sensitive and valuable that it is possible to say that *any* filling of more than X acres will have unacceptable adverse effects. In those instances, where likely adverse impacts cannot be identified, 404(c) will not be used.

Certain commenters asked why advance use of 404(c) was necessary in light of the advance identification provisions in 40 CFR 230.7. That provision merely aids in planning; it does not carry the weight of, or comply with the requirements of, 404(c).

Use of 404(c) After Issuance of a Permit

A number of commenters objected to the use of 404(c) after the issuance of a permit by the Corps or a state, arguing either that such action was outside the scope of section 404(c), that such action was unfair, or that 404(c) did not apply at all to sites covered by state programs. Several people suggested criteria to limit the use of section 404(c) after permit issuance.

EPA feels that an important distinction should be drawn between the Agency's right to use 404(c) after issuance and its choice to do so. The statute on its face clearly allows EPA to act after the Corps has issued a permit; it refers twice to the "withdrawal of specification," which clearly refers to action by EPA after the Corps has specified a site (e.g. issued a permit or authorized its own work).

On the other hand, EPA recognizes that where possible it is much preferable to exercise this authority before the Corps or state has issued a permit, and before the permit holder has begun operations. As stated in the preamble to the proposed regulations, it is EPA's policy to try to resolve environmental problems before permit issuance. This policy is based on both a concern for the plight of the applicant, and a desire to protest the site before any adverse impacts occur. Nonetheless, one can anticipate that there will be circumstances where it may be necessary to act after issuance in order to carry out EPA's responsibilities under the Clean Water Act. For example, new information may come to EPA's attention; there may be new scientific discoveries; or in very rare instances, EPA may not receive actual notice of the Corps' intent to issue a permit in advance of issuance. While these are the most likely occasions necessitating 404(c) action after issuance, EPA does not wish to unwittingly restrict action in other appropriate circumstances. Therefore, the regulations do not restrict

EPA's right to act after a permit has been issued. EPA agrees with the suggestion of one commenter that the Corps or State should have an opportunity to suspend, modify, or revoke a permit before use of section 404(c) in such a situation. The consultation provisions provide such an opportunity.

Some commenters appeared to think that EPA would use 404(c) to invalidate discharges which had already taken place under a valid permit. This is a misinterpretation of the regulations. Under the statutory scheme, 404(c) can only be used to *prevent* discharges. On the other hand, in evaluating the adverse effect of a future discharge, EPA may consider the cumulative impact of past as well as future discharges.

EPA agrees with the suggestion that it would be inappropriate to use 404(c) after issuance of a permit where the matters at issue were reviewed by EPA without objections during the permit proceeding, or where the matters at issue were resolved to EPA's satisfaction during the permit proceeding, unless substantial new information is first brought to the Agency's attention after issuance.

Some commenters suggested that the regulations provide for bonding or reimbursement in the event that 404(c) is used after issuance. There is no provision in the statute for such a measure, and we do not think that there will be any need for such protection, given our policy of restraint on the use of 404(c) after issuance.

Two commenters questioned the use of 404(c) when a permit had been issued by a state, citing the provision in 404(j) for objecting to state permits as an exclusive remedy. However, the legislative history for the 1977 amendments to the CWA states expressly that 404(j) was not intended to restrict the Administrator's authority under 404(c). (Senate Report, Legis. Hist., Vol. 3, p. 711; Senator Stafford, *Ibid* p. 914.) Of course, as a practical matter, it will usually be simpler for EPA to object under 404(j) than to use 404(c), and it is our expectation that we will use that procedure to the extent practicable.

Emergency Provision

A number of comments related to the provision in § 231.7 for emergency suspensions of permits where the Administrator has reason to believe that there is an imminent danger of irreparable harm to the 404(c) resources and the public health, interest, or safety requires and the Corps refuses to suspend the permit under its own procedures. Some commenters objected to this provision because they objected

to any action under 404(c) after permit issuance. This objection is dealt with above. Others conceded EPA's right to act, but argued either that 404(c) did not permit suspension without opportunity for prior hearing, or that the scope (e.g. triggering circumstances) of the emergency provision was too broad or too restrictive.

Although some commenters applauded the inclusion of the proposed emergency provision, none of them gave any reasons to justify the provision. Because there is some doubt concerning our authority, EPA has decided to delete this provision, relying instead on the Corps' own suspension authority and section 504 as written. Therefore, the emergency provision has been changed to provide that, when a permit has already been issued and the Administrator perceives an imminent danger to the resources mentioned in 404(c), he may ask the Corps or state to suspend the permit (which it may do under its regulations) and/or may go to court for a preliminary injunction to stop the discharge.

Unacceptable Adverse Effect—Criteria for Action Under 404(c)

Several commenters asked for a more specific definition of "unacceptable adverse effects." EPA considered these comments, and the proposed substitutes, and concluded that some clarification was needed. The definition has, therefore, been changed to read as follows:

Impact on an aquatic or wetland ecosystem which is likely to result in a significant degradation of municipal water supplies (including surface or ground water) or significant loss of or damage to fisheries, shellfishing, or wildlife habitat, or recreation areas. In evaluating the unacceptability of such impacts, consideration should be given to the relevant portions of the section 404(b)(1) guidelines (40 CFR Part 230).

Several people observed that the unqualified reference to the 404(b)(1) guidelines was misleading, since the guidelines are concerned with a greater range of resources than 404(c) is. To avoid any misunderstanding, the reference now reads, "the relevant portions of the section 404(b)(1) guidelines."

Several commenters argued that any determination of "unacceptability" should be based on a cost/benefit analysis which takes into account the benefits of the proposed project. In EPA's view, section 404(c) does not require a balancing of environmental benefits against non-environmental costs such as the benefits of the foregone project. This view is based on the language of 404(c) which refers only

to environmental factors. The term "unacceptable" in EPA's view refers to the significance of the adverse effect—e.g. is it a large impact and is it one that the aquatic and wetland ecosystem cannot afford. When Congress intended EPA to consider costs under the Clean Water Act, it said so (see, for example, section 304(b)(2)(B)). It is significant that in paraphrasing the criteria for 404(c), the Conference Report merely referred to activities which will "adversely affect" the listed resources. (Leg. Hist., Vol. 1, p. 325.) The remarks of Senator Muskie during the debate on the Conference Report also confirm that the criteria for exercise of 404(c) were environmental. In short, there is no requirement in 404(c) that a cost/benefit analysis be performed, and there is no suggestion in the legislative history that the word "unacceptable" implies such a balancing. On the other hand, one of the basic functions of 404(c) is to police the application of the 404(b)(1) guidelines. Therefore, those portions of the guidelines relating to alternative sites may be considered in evaluating the unacceptability of the environmental impact. For example, the Administrator can take into account the fact that the alternative sites or methods are or are not available, so that the loss of resources is avoidable or unavoidable. Of course, even when there is no alternative available, and "vetoing" the site means stopping a project entirely, the loss of the 404(c) resources may still be so great as to be "unacceptable."

Several commenters also noted that the regulations provided that a recommended determination need only to be based on a finding that a discharge "could" have an unacceptable adverse effect. They recommend that this be changed to "will" to reflect the statutory language. EPA has retained the word "could" for the proposed determination but changed to "would be likely to" in connection with the recommended determination and, by reference, final determination. The word "could" is appropriate for the early stage because the preliminary determination merely represents a judgment that the matter is worth looking into. While EPA has used the word "would" for the later stages in the proceedings, to reflect the statutory language, it is important to note that absolute certainty is not required. Because 404(c) determinations are by their nature based on predictions of future impacts, what is required is a reasonable likelihood that unacceptable adverse effects will occur—not absolute certainty but more than mere guesswork.

One commenter asked what the point of 404(c) was if the applicable criteria were the same as those which the Corps applied. The short answer is that Congress wanted EPA to have an opportunity to have the final say to prevent significant adverse effects. Moreover, unlike the Corps, EPA can use 404(c) to protect the water before someone requests a discharge permit (e.g. before the Corps is involved).

One commenter suggested that the criteria include consideration of human health. Because of the specific language of the statute, EPA cannot consider human health under 404(c) except to the extent that it is implied by the factors listed. For example, municipal water supplies relates directly to human health; some adverse effects on fish and shellfish might also be injurious to human health. (The emergency provisions in section 504 may be available when effects on human health are outside the scope of section 404(c)).

Adjudicatory Hearings

A few commenters took the position that, under the Administrative Procedure Act, EPA must provide an opportunity for an adjudicatory hearing under section 404(c), at least where action is taken after issuance of a permit. While there are arguments to be made on either side, EPA has concluded that adjudicatory hearings are not required and that a voluntary provision for them would be inappropriate in light of the strong Congressional desire to minimize delays in the 404 program. The three proponents for adjudicatory hearings advanced slightly different theories in support of their position. One drew an analogy between the 404 and NPDES programs, for which adjudicatory hearings are required; a second took the position that the veto of a permit required an adjudicatory hearing; and the third asserted that 404(c) established an independent licensing authority which required such hearings.

The mere fact that some 404(c) actions may be considered to involve licensing or adjudication does not mean that formal adjudicatory hearings, as described in sections 556 and 557 of the APA, are required. Section 554(a) of the APA provided that those procedures apply only to adjudications "required by statute to be determined on the record after opportunity for an agency hearing." Section 404 does not require that the Administrator's determination be confined to the record; indeed, it expressly provides that the Administrator is to "consult" with the Corps in addition to offering a hearing. Moreover, it is significant that the same

language which appears in section 404(c) ("notice and opportunity for public hearing") also appears in sections 404(a) and 404(e), and has not been interpreted to require adjudicatory hearings in those contexts. Section 404(e), at least, clearly involves rulemaking.

Delay and Time Limits

A large number of commenters raised the question of delays in permit processing which might be caused by section 404(c). Several cited section 404(q) in support of an argument that 404(c) procedures must be designed to ensure that permit processing could be concluded in 90 days. While EPA agrees that it is important to eliminate unnecessary delay, the Agency does not believe that 404(q) requires unreasonable shortcuts merely to complete processing within 90 days. That section provides that the 90 day target is one that should be met "to the maximum extent practicable." Given the fact that 404(c) proceedings will affect only a small fraction of permit proceedings, and given the tight time constraints provided by these regulations, EPA believes that the 404(c) regulations are consistent with Congress' intent. Moreover, a shorter schedule would undercut the meaningfulness of the opportunity for hearing and the consultative process mandated by section 404(c).

Several commenters also raised questions about some of the specific time limits included in or omitted from the regulations. EPA considered each of these suggestions and made changes where they appeared warranted. Starting at the beginning of the process, one commenter asked for a requirement in § 231.3 that 404(c) be initiated "immediately" after the Regional Administrator has reason to believe that the discharge might have unacceptable impacts. This suggestion was rejected because it ignores the Regional Administrator's necessary discretion in deciding when to act or whether to act at all. He may believe that such impacts will occur but see no realistic prospect of proving a case. Or there may be instances where the Regional Administrator also has reason to believe that permitting authority will deny the permit. In such an instance, a 404(c) proceeding would be unnecessary. In addition, such a requirement would be hard to enforce, since the trigger is so subjective.

Another commenter suggested increasing the time for consultation in § 231.3 from 15 to 30 days. Since an extension can be granted under § 231.8 if necessary in a particular case, this

time limit has not been changed. It should be easy to show good cause for an extension for such consultations.

Several people asked that the time period for public comment be limited to not more than 30 days (in lieu of not less than 30 days) and that the public hearing be held not more than 21 days after notice (in lieu of not less than 21 days). Another commenter suggested 45 days notice of hearings. EPA has weighed the normal notice provisions in EPA's public participation regulations, 40 CFR 25.5 (February 16, 1979), against the interests of expedition in 404(c) proceedings, and concluded the proposed time limits should not be shortened. The Agency's judgment is that shorter time periods may affect the meaningfulness of the public's opportunity to participate in the hearing/comment process. On the other hand, EPA agrees that § 231.4(a) and (b) were unnecessarily open-ended as written, and has therefore provided for a comment period of not less than 30 days or more than 60 days. A comparable maximum time limit on the public hearing notice has not been established because the appropriate time will depend on the particular facts of the case and the type of public interest which has been expressed.

The commenters suggested specific time limits for the close of the record after the hearing (one week or 15 days). The second suggestion has been adopted with the understanding that extensions may be granted under § 231.8.

It was also suggested that a time limit be imposed for the forwarding of the recommended determination and record to the Administrator (§ 231.5(b) and (c)). Because the time necessary for such action may depend on the size of the record and since unreasonable delay is unlikely, EPA has simply provided that such materials shall be forwarded "promptly."

There was a suggestion that the Administrator consult with the Corps and state within 15 days (rather than 30, as provided) of receipt of the recommended determination. EPA believes that it is necessary to allow 30 days to enable the Administrator to review the record, which may be extensive, and to form tentative views on the likely impacts of the discharge before consulting with the Corps or state. Given the Administrator's many other responsibilities and EPA's intention that he be more than a rubber stamp, 15 days appears unrealistically short.

Several commenters pointed out that the proposed regulations do not contain any final deadline for the

Administrator's final determination. EPA agrees that the final determination should be made not more than 60 days after receipt of the recommendations and administrative record.

Some commenters suggested changes in § 231.8 (extensions of time). One felt that the provision should be omitted entirely, and another suggested limiting the total time that could be extended under it to 30 days. The first suggestion was rejected because the Agency feels that fairness to participants and the interests of the environment necessitate at least some degree of flexibility in the very tight time periods contained herein. EPA decided it was not necessary to put a 30 day limit on the section because it provides that extensions can only be granted upon showing of good cause; thus if extensions are unnecessary, they will not be granted, and if there is good cause, an extension should not be arbitrarily foreclosed.

Economic Impact Statement

Several commenters suggested that these regulations might have significant economic impacts. However these, comments were not very specific and seemed to be premised on an assumption that a large number of sites used by one or more industries would be vetoed. As explained in the preamble to the proposed regulations, EPA does not expect that the 404(c) authority will be used very often. EPA feels confident that most environmental problems will be prevented through the routine operation of the permit program. Moreover, the use of 404(c) may well have some economic benefits that outweigh some of the costs, through the use of pre-application "vetoes" before industry has made financial and other commitments which lock it into a particular project design and location.

One commenter asked for an economic impact statement on the grounds that section 404 already has had an impact on irrigated agriculture. However, such impacts by definition are not impacts attributable to the proposed 404(c) regulations, which have not been used yet. Therefore, EPA sees no reason to change the original determination that a regulatory analysis of these regulations is not required and would not be useful.

Evaluation Plan

One commenter objected to the evaluation plan which was developed pursuant to Executive Order 12044, on the grounds that the allotted four years was too much time. EPA selected four years to ensure that there would be an adequate data base to assess the effectiveness of the regulations. As

noted earlier, there are not expected to be many 404(c) actions, and the first few, when EPA is becoming familiar with these procedures, may not be wholly typical. Therefore the Agency still feels that four years is an appropriate timetable for evaluating these regulations.

Public Meeting

One commenter requested that one or more public meetings be held to explain and receive comments on these regulations. Because there was only one such request, and because it was received at the very end of the comment period, EPA did not think that there was sufficient interest to warrant setting up a meeting.

Burden of Proof

Some commenters objected to the proposed regulations because they felt that EPA had improperly put the burden on the Corps to demonstrate that the discharge would not have unacceptable adverse impacts. This objection is based on a misunderstanding of the regulations. The fact that the Corps is given an opportunity to demonstrate that there are no unacceptable adverse impacts before the first public notice is issued does not relieve EPA of the responsibility of establishing a basis for any subsequent determination of unacceptable adverse effects. The consultative process, which is required by statute, merely gives the Corps an opportunity to convince the Regional Administrator that there would be no point in soliciting evidence from the public.

Other objections relating to burden of proof were based on the use of the word "could" in connection with the standard for the recommended determination. While EPA does not agree that the word "could" improperly creates a presumption against the discharge, the word has been changed to "would" to allay these fears and conform more closely to the statutory language, as discussed above under "Criteria for 404(c) Actions."

Proposed Determination

Several commenters questioned the reference to the Corps' regulations in connection with the provision in § 231.3 that the Corps would not issue permits for a site after notification that a 404(c) action has been initiated. EPA's announcement of intent to start a 404(c) action will ordinarily be preceded by an objection to the permit application, and under § 325.8 such objection serves to halt issuance of the permit until the matter is resolved. As agreed to by the Corps (see Appendix A) once the permit

process is halted by the objection, EPA may proceed to complete the 404(c) proceeding while the permit is held in abeyance.

The promulgation of regulations under 404(c) will not alter EPA's present obligations to make timely objections to permit applications where appropriate. It is not the Agency's intention to hold back and then suddenly to spring a veto action at the last minute. The fact that 404(c) may be regarded as a tool of last resort implies that EPA will first employ its tool of "first resort," e.g. comment and consultation with the permitting authority at all appropriate stages of the permit process.

One commenter suggested that the provision holding permit issuance in abeyance exceeded the provisions of 404(c) because it allowed a veto before EPA had completed the formalities of 404(c). EPA disagrees. All that is involved is a temporary delay by the Corps in completing its permit decision, a delay allowed by the Corps' regulations; there is no veto of the site, just as there is no veto of the site when permit issuance is delayed while an EIS is being prepared or while the objections of other Federal agencies are elevated to headquarters for resolution.

Public Notice Provisions

Some commenters suggested that notice of the final determination as well as the proposed determination and hearing be required to be published in the Federal Register. EPA agrees and has changed § 231.6 accordingly.

It was also suggested that public notices be mailed to landowners who might be affected by a 404(c) action. EPA has added "owner of record of the site" to the list of recipients in § 231.3(d).

It was also suggested that the Regional Administrator notify the landowner and applicant, if any, when he notifies the permitting authority of his intention to issue a notice of proposed determination under § 231.3(a). Since EPA agrees that it would be appropriate to include such parties in discussions of possible corrective action, their names have been added to §§ 231.3(a)(1) and to 231.6.

Another commenter suggested that the public notice of the proposed determination be required to specify what sections of the 404(b)(1) guidelines would be violated if the site were specified as a disposal site. EPA feels that it would be more useful to the public to have a summary of the facts on which the proposed determination was based, and a description of the site and nature of the proposed discharge, as

presently required, so this change has not been made.

It was also suggested that the public notice contain a legal or other precise description of the site location. Section 231.3(b)(2) has been reworded to clarify the intent that the area in question be clearly identified. As rewritten, the section reads: "The location of the existing, proposed, or potential disposal site and a summary of its characteristics."

Another commenter suggested that the public notice should state that anyone has a right to request a public hearing. While EPA considered that to be implicit in § 231.3(b)(4), the wording has been changed to "A brief description of the right to, and procedures for requesting, a public hearing," to make it more explicit.

Another commenter suggested that the notice contain the name of the applicant, if any, and this has been added. This commenter also suggested that the notice contain a brief summary of the position taken by the District Engineer or the state. EPA has not adopted this suggestion for several reasons. First, the position of the permitting agency is generally irrelevant to the question to be determined by EPA under 404(c). Second, at least where there is a pending application, the very issuance of the notice means that the permitting authority is still considering some kind of permit. Third, it would be inappropriate for EPA to try to further characterize the position of the permitting authority while that agency still has an opportunity to change its mind.

Hearings and Administrative Record

EPA adopted a suggestion that the hearings be held in the vicinity of the affected site where practicable, and amended § 231.4(b) accordingly.

Another commenter suggested that EPA establish criteria in the final regulations on just what constitutes "significant interest" warranting a hearing. While EPA finds nothing wrong with the criteria suggested by the commenter, there is no need to expand the regulations to list criteria for this judgment, since the judgment is really one made by applying common sense to the particular facts of a given situation.

Several people criticized the vagueness of "reasonable time" for the close of the hearing record. As explained above under "Delay," EPA has added a specific time limit.

One commenter suggested language to clarify the scope of comments. EPA modified the suggested language and inserted the following in the regulation:

(§ 231.4(a)) During this period any interested person may submit written comments on the proposed determination. Comments should be directed to whether the proposed determination should become the final determination and corrective actions which could be taken to reduce the adverse impact of the discharge.

One commenter objected that the hearing record would be one-sided and unfair because it would reflect only data which supported EPA. This objection overlooks the critical fact that under the regulations *anyone* who has relevant data has an opportunity to place it in the record and to have it considered by EPA.

Another commenter asked why the Corps record is not always required to be part of the administrative record, that is, why only "when possible." EPA used that phrase because there may be times when there is no Corps record because there is no permit application.

Two commenters made diametrically opposed observations about the possible duplicativeness of EPA and Corps proceedings. One suggested that they were so duplicative that §§ 231.3 and 231.4 should be deleted as unnecessary. This suggestion ignores the explicit statutory requirement that there be notice and opportunity for hearing in connection with the 404(c) determination. The other disputed the duplicativeness of the hearings in arguing that joint hearings are not appropriate. While EPA supports the principle of joint hearings where feasible, it is recognized that they are not always appropriate and that they should not be held when either participating agency objects.

Recommended Determination

One commenter pointed out that the recommended determination was not required under the regulations to contain a statement of evidence supporting the recommendation. While declining to require a detailed citation to the record, EPA has added a requirement that the recommended determination include a statement of reasons.

Final Determination

A couple commenters suggested that the Regional Administrator should make the final determination to save time. While this suggestion has some merit and is one EPA may entertain at a later date, we feel that in the initial years of implementation of 404(c) it is more important to centralize the final determination to ensure consistency and to set some precedents for future guidance. At the same time, the Regional Administrator should not be eliminated

either, because he is the logical person to make the proposed determination and conduct the hearing.

Some commenters objected to the lack of public input into the Administrator's decision whether to review the Regional Administrator's withdrawal of a proposed determination. EPA decided to provide for notice to those persons who commented on the proposed determination or who participated in the hearing, to give them an opportunity to submit written recommendations concerning review.

One commenter also asked for an opportunity for public comment on any corrective action which may be proposed by the permitting authority during the consultative process, where the effect of such corrective measures is to obviate the need for 404(c) action. EPA feels that, in such a situation, it would be more appropriate for the public comment to come as part of the permit process rather than the 404(c) procedure, since it will be the permitting authority who will have the responsibility for incorporating appropriate corrective measures into a permit.

Consistency with Coastal Zone Management

Some commenters were concerned that 404(c) vetos might lead to results which were inconsistent with CZM plans. Ordinarily, this should not be a problem, if CZM plans are well conceived. However, where a conflict arises because the CZM plan was not based on project-specific considerations, the concerns of 404(c) have priority over the provisions of the plan. The CZM Act provides (16 U.S.C. 1456(f)) that "nothing in this chapter shall in any way affect any requirement (1) established by the Clean Water Act or (2) established by the Federal government * * * pursuant to any such Act." In short, a well-designed CZM plan will itself prohibit or prevent many of the adverse effects which might otherwise require 404(c) action, but in those few instances where the plan is insufficiently protective, Congress has clearly authorized EPA to maintain the stricter standards of the Clean Water Act.

Significant Comments on Other Issues

One commenter expressed concern that 404(c) was not designed to handle emergencies, such as pipeline repairs, where the environmental consequence of vetoing the discharge might be worse than that of the discharge itself. EPA feels that the authority to "restrict" rather than "prohibit" can be used to handle this situation. For example, if a

pipeline already crosses a site which is proposed to be barred as a disposal site in the future, the Administrator could simply restrict permissible discharges to those associated with necessary pipeline repairs (subject to whatever additional conditions the Corps or state might impose during the permit process).

A number of commenters seemed to be objecting to the whole idea of EPA exercising a veto over discharges of dredged or fill material. Congress gave EPA such authority, and presumably intended EPA to use it, as an additional safeguard for the waters of the United States. While Congress had faith in the Corps' administrative experience, it recognized EPA as the "environmental conscience" of the Clean Water Act. While it is true that 404(c) has not been used yet, the fact that it has been available has had a deterrent effect and at least some commenters argued that it should have been used in a number of instances.

Three commenters asked that the regulations be amended to provide a formal procedure for petitioning EPA to initiate 404(c) actions. Anyone has a right to contact EPA and suggest that it take action whether or not there is a formal procedure in the regulations. However, a formal procedure might foster a somewhat adversarial relationship, and might lead to the regional 404 staff being swamped with requests to protect valuable aquatic and wetland resources in advance of permit applications being filed. However, because of limited manpower, EPA will have to focus first on areas which are in more immediate danger of destruction—e.g. those covered by a pending application to discharge. Therefore, EPA does not think it appropriate at this time to require inclusion of a formal procedure for petitioning EPA to initiate 404(c) actions.

One commenter suggested that EPA emphasize that the availability of 404(c) does not lessen its authority to take enforcement action under section 309. EPA feels is sufficient to note here that section 404(n) provides that "Nothing in this section shall be construed to limit the authority of the Administrator to take action pursuant to section 309 of this Act."

One commenter suggested that the regulations should provide that a section 404(c) prohibition would also serve as a prohibition against activities regulated under section 402, RCRA, and UIC program. EPA has not done so, for two reasons. First, the activities under those programs have their own impacts and standards, which are not interchangeable with those of the 404 program. Second, even if such a

suggestion was valid, it would result in such a change in scope of these regulations that public comment should be sought before incorporating it.

Some commenters suggested that the regulations should require EPA to consult with and to pay due respect to the views of the Fish and Wildlife Service. EPA feels that the existing regulations already give the Service an opportunity to comment and be heard. Also, § 231.3(d)(2) expressly provides that copies of public notices are to be mailed to the Service. EPA has worked closely with Fish and Wildlife Service in the past and expects this cooperation to continue in the future.

One commenter suggested that the regulations should state that the Corps of Engineers cannot override a section 404(c) veto by the Administrator. EPA feels that this is a clear from the statute, that it is understood by all agencies concerned, and that there is no need for including it in the text of the regulations.

One commenter took the position that EPA should be required to state affirmatively that it has no objection before the Corps may issue a section 404 permit. Such a requirement goes beyond the needs of section 404(c), since some of EPA's objections to permits are based on grounds that are outside the scope of section 404(c). This suggestion thus seems to be a matter which would be more appropriately addressed in comments on the Corps' upcoming revisions to their regulations. In addition, EPA notes that such a requirement would result in a lot of unnecessary paperwork and would have a potential for delay since, in the case of the vast majority of permits which are issued, EPA has no objections or its objections are resolved before the Corps announces its intention to issue the permit.

Scope of the Regulations

The regulations describe how the Administrator's authority under 404(c) is to be exercised. The following is a summary of the process.

Under § 231.3 of the regulations, section 404(c) proceedings begin when the Regional Administrator issues a proposed determination that a site should be prohibited, withdrawn, or restricted for use as a disposal site because of unacceptable adverse environmental effects. This proposed determination does not represent a judgment that discharge of dredged or fill material will result in unacceptable adverse effects; it merely means that the Regional Administrator believes that the issue should be explored. The Regional Administrator then consults with the

Corps, or, in the case of a site covered by a state program, with the state and, if no corrective actions are agreed upon, he issues a public notice, inviting public comments on the proposed determination. The Corps has agreed that if there is a permit application pending, such notice will serve to stay its issuance of the permit.

If there is enough interest, the Regional Administrator or his designee holds a public hearing under § 231.4 to supplement the public comments. (If the Corps or a State plans a hearing on a permit application, its hearing and the EPA hearing may be consolidated if the agencies agree). After the comment period and the hearing, if one is held, the Regional Administrator or his designee reviews the information available to him and decides whether to withdraw his proposed determination to prohibit or withdraw a site (§ 231.5). If he withdraws the proposed determination, he gives public notice of that step, and the matter drops (unless the Administrator decides to review). Otherwise the Regional Administrator or his designee sends a "recommended determination," and the record on which it was based, to the Administrator for a "final determination." The Administrator then reviews that material, gives the Corps and the state a final opportunity to take corrective measures, and makes a final determination whether a discharge of dredged or fill material will result in unacceptable adverse effects warranting the prohibition or restriction of the disposal site. This determination and reasons therefor are then made public. (§ 231.6)

The regulations also include a provision for emergency suspension of a permit pending 404(c) procedures. Where there is imminent danger of irreparable harm to the environment and the public interest requires, the Administrator may ask the Corps or state to suspend an existing permit under the Corps' regulations (33 CFR 325.7) and/or may go to Court under section 504 of the CWA. It is expected that the suspensions will be infrequent, since it is EPA's policy to try to resolve environmental problems before permits are issued.

Evaluation Plan

Executive Order 12044 requires that each new proposed regulation be accompanied by a plan to evaluate its effectiveness and the continued need for the regulation. The 404 section of the Office of Water Planning and Standards will be responsible for completing an evaluation of these regulations within 4 years of their effective date. The

evaluation will assess the success or failure of the regulations in providing expeditious, fair, and informed decision-making under 404(c), and will be based on an analysis of the track record of 404(c) proceedings under these regulations.

Regulatory Analysis

Because the number of section 404(c) actions is expected to be small and because actions are unlikely to be concentrated in a particular industry or locality, these regulations should not have major economic consequences within the meaning of Executive Order 12044.

Dated September 27, 1979

Douglas M. Costle,
Administrator.

Accordingly, 40 CFR Chapter I is amended by adding a new "Part 231—Section 404(c) Procedures" to read as follows:

PART 231—SECTION 404(c) PROCEDURES

- 231.1. Purpose and scope.
- 231.2. Definitions.
- 231.3. Procedures for proposed determinations.
- 231.4. Public comments and hearings.
- 231.5. Recommended determination.
- 231.6. Administrator's final determinations.
- 231.7. Emergency procedure.
- 231.8. Extension of time.

Authority: 33 U.S.C. 1344(c).

§ 231.1 Purpose and scope.

(a) The Regulations of this part include the procedures to be followed by the Environmental Protection agency in prohibiting or withdrawing the specification, or denying, restricting, or withdrawing the use for specification, of any defined area as a disposal site for dredged or fill material pursuant to section 404(c) of the Clean Water Act ("CWA"), 33 U.S.C. 1344(c). The U.S. Army Corps of Engineers or a state with a 404 program which has been approved under section 404(h) may grant permits specifying disposal sites for dredged or fill material by determining that the section 404(b)(1) Guidelines (40 CFR Part 230) allow specification of a particular site to receive dredged or fill material. The Corps may also grant permits by determining that the discharge of dredged or fill material is necessary under the economic impact provision of section 404(b)(2). Under section 404(c), the Administrator may exercise a veto over the specification by the U.S. Army Corps of Engineers or by a state of a site for the discharge of dredged or fill material. The Administrator may also prohibit the

specification of a site under section 404(c) with regard to any existing or potential disposal site before a permit application has been submitted to or approved by the Corps or a state. The Administrator is authorized to prohibit or otherwise restrict a site whenever he determines that the discharge of dredged or fill material is having or will have an "unacceptable adverse effect" on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas. In making this determination, the Administrator will take into account all information available to him, including any written determination of compliance with the section 404(b)(1) Guidelines made in 40 CFR Part 230, and will consult with the Chief of Engineers or with the state.

(b) These regulations establish procedures for the following steps:

(1) The Regional Administrator's proposed determinations to prohibit or withdraw the specification of a defined area as a disposal site, or to deny, restrict or withdraw the use of any defined area for the discharge of any particular dredged or fill material;

(2) The Regional Administrator's recommendation to the Administrator for determination as to the specification of a defined area as a disposal site.

(3) The Administrator's final determination to affirm, modify or rescind the recommended determination after consultation with the Chief of Engineers or with the state.

(c) Applicability: The regulations set forth in this part are applicable whenever the Administrator is considering whether the specification of any defined area as a disposal site should be prohibited, denied, restricted, or withdrawn. These regulations apply to all existing, proposed or potential disposal sites for discharges of dredged or fill material into waters of the United States, as defined in 40 CFR 230.2.

§ 231.2 Definitions

For the purposes of this part, the definitions of terms in 40 CFR 230.2 shall apply. In addition, the term:

(a) "Withdraw specification" means to remove from designation any area already specified as a disposal site by the U.S. Army Corps of Engineers or by a state which has assumed the section 404 program, or any portion of such area.

(b) "Prohibit specification" means to prevent the designation of an area as a present or future disposal site.

(c) "Deny or restrict the use of any defined area for specification" is to deny or restrict the use of any area for the

present or future discharge of any dredged or fill material.

(d) "Person" means an individual, corporation, partnership, association, Federal agency, state, municipality, or commission, or political subdivision of a state, or any interstate body.

(e) "Unacceptable adverse effect" means impact on an aquatic or wetland ecosystem which is likely to result in significant degradation of municipal water supplies (including surface or ground water) or significant loss of or damage to fisheries, shellfishing, or wildlife habitat or recreation areas. In evaluating the unacceptability of such impacts, consideration should be given to the relevant portions of the section 404(b)(1) guidelines (40 CFR Part 230).

(f) "State" means any state agency administering a 404 program which has been approved under section 404(h).

§ 231.3 Procedures for proposed determinations.

(a) If the Regional Administrator has reason to believe after evaluating the information available to him, including any record developed under the section 404 referral process specified in 33 CFR 323.5(b), that an "unacceptable adverse effect" could result from the specification or use for specification of a defined area for the disposal of dredged or fill material, he may initiate the following actions:

(1) The Regional Administrator will notify the District Engineer or the state, if the site is covered by an approved state program, the owner of record of the site, and the applicant, if any, in writing that the Regional Administrator intends to issue a public notice of a proposed determination to prohibit or withdraw the specification, or to deny, restrict or withdraw the use for specification, whichever the case may be, of any defined area as a disposal site.

(2) If within 15 days of receipt of the Regional Administrator's notice under paragraph (a)(1) of this section, it has not been demonstrated to the satisfaction of the Regional Administrator that no unacceptable adverse effect(s) will occur or the District Engineer or state does not notify the Regional Administrator of his intent to take corrective action to prevent an unacceptable adverse effect satisfactory to the Regional Administrator, the Regional Administrator shall publish notice of a proposed determination in accordance with the procedures of this section. Where the Regional Administrator has notified the District Engineer under paragraph (a)(1) of this section that he is considering exercising section 404(c) authority with respect to a

particular disposal site for which a permit application is pending but for which no permit has been issued, the District Engineer, in accordance with 33 CFR 325.8, shall not issue the permit until final action is taken under this Part.

Comment. In cases involving a proposed disposal site for which a permit application is pending, it is anticipated that the procedures of the section 404 referral process will normally be exhausted prior to any final decision of whether to initiate a 404(c) proceeding.

(b) Public notice of every proposed determination and notice of all public hearings shall be given by the Regional Administrator. Every public notice shall contain, at a minimum:

(1) An announcement that the Regional Administrator has proposed a determination to prohibit or withdraw specification, or to deny, restrict, or withdraw the use for specification, of an area as a disposal site, including a summary of the facts on which the proposed determination is based;

(2) The location of the existing, proposed or potential disposal site, and a summary of its characteristics;

(3) A summary of information concerning the nature of the proposed discharge, where applicable;

(4) The identity of the permit applicant, if any;

(5) A brief description of the right to, and procedures for requesting, a public hearing; and

(6) The address and telephone number of the office where interested persons may obtain additional information, including copies of the proposed determination; and

(7) Such additional statements, representations, or information as the Regional Administrator considers necessary or proper.

(c) In addition to the information required under paragraph (b) of this section, public notice of a public hearing held under § 231.4 shall contain the following information:

(1) Reference to the date of public notice of the proposed determination;

(2) Date, time and place of the hearing; and

(3) A brief description of the nature and purpose of the hearing including the applicable rules and procedures.

(d) The following procedures for giving public notice of the proposed determination or of a public hearing shall be followed:

(1) Publication at least once in a daily or weekly newspaper of general circulation in the area in which the defined area is located. In addition the Regional Administrator may (i) post a

copy of the notice at the principal office of the municipality in which the defined area is located, or if the defined area is not located near a sizeable community, at the principal office of the political subdivision (State, county or local, whichever is appropriate) with general jurisdiction over the area in which the disposal site is located, and (ii) post a copy of the notice at the United States Post Office serving that area.

(2) A copy of the notice shall be mailed to the owner of record of the site, to the permit applicant or permit holder, if any, to the U.S. Fish and Wildlife Service, National Marine Fisheries Service and any other interested Federal and State water pollution control and resource agencies, and to any person who has filed a written request with the Regional Administrator to receive copies of notices relating to section 404(c) determinations;

(3) A copy of the notice shall be mailed to the appropriate District and Division Engineer(s) and state;

(4) The notice will also be published in the Federal Register.

§ 231.4 Public comments and hearings.

(a) The Regional Administrator shall provide a comment period of not less than 30 or more than 60 days following the date of public notice of the proposed determination. During this period any interested persons may submit written comments on the proposed determination. Comments should be directed to whether the proposed determination should become the final determination and corrective action that could be taken to reduce the adverse impact of the discharge. All such comments shall be considered by the Regional Administrator or his designee in preparing his recommended determination in § 231.5.

(b) Where the Regional Administrator finds a significant degree of public interest in a proposed determination or that it would be otherwise in the public interest to hold a hearing, or if an affected landowner or permit applicant or holder requests a hearing, he or his designee shall hold a public hearing. Public notice of that hearing shall be given as specified in § 231.3(c). No hearing may be held prior to 21 days after the date of the public notice. The hearing may be scheduled either by the Regional Administrator at his own initiative, or in response to a request received during the comment period provided for in paragraph (a) of this section. If no public hearing is held the Regional Administrator shall notify any persons who requested a hearing of the reasons for that decision. Where

practicable, hearings shall be conducted in the vicinity of the affected site.

(c) Hearings held under this section shall be conducted by the Regional Administrator, or his designee, in an orderly and expeditious manner. A record of the proceeding shall be made by either tape recording or verbatim transcript.

(d) Any person may appear at the hearing and submit oral or written statements and data and may be represented by counsel or other authorized representative. Any person may present written statements for the hearing file prior to the time the hearing file is closed to public submissions, and may present proposed findings and recommendations. The Regional Administrator or his designee shall afford the participants an opportunity for rebuttal.

(e) The Regional Administrator, or his designee, shall have discretion to establish reasonable limits on the nature, amount or form of presentation of documentary material and oral presentations. No cross examination of any hearing participant shall be permitted, although the Regional Administrator, or his designee, may make appropriate inquiries of any such participant.

(f) The Regional Administrator or his designee shall allow a reasonable time not to exceed 15 days after the close of the public hearing for submission of written comments. After such time has expired, unless such period is extended by the Regional Administrator or his designee for good cause, the hearing file shall be closed to additional public written comments.

(g) No later than the time a public notice of proposed determination is issued, a Record Clerk shall be designated with responsibility for maintaining the administrative record identified in § 231.5(e). Copying of any documents in the record shall be permitted under appropriate arrangements to prevent their loss. The charge for such copies shall be in accordance with the written schedule contained in Part 2 of this chapter.

§ 231.5 Recommended determination.

(a) The Regional Administrator or his designee shall, within 30 days after the conclusion of the public hearing (but not before the end of the comment period), or, if no hearing is held, within 15 days after the expiration of the comment period on the public notice of the proposed determination, either withdraw the proposed determination or prepare a recommended determination to prohibit or withdraw specification, or to deny, restrict, or withdraw the use for

specification, of the disposal site because the discharge of dredged or fill material at such site would be likely to have an unacceptable adverse effect.

(b) Where a recommended determination is prepared, the Regional Administrator or his designee shall promptly forward the recommended determination and administrative record to the Administrator for review, with a copy of the recommended determination to the Assistant Administrator for Water and Waste Management.

(c) Where the Regional Administrator, or his designee, decides to withdraw the proposed determination, he shall promptly notify the Administrator by mail, with a copy to the Assistant Administrator for Water and Waste Management, who shall have 10 days from receipt of such notice to notify the Regional Administrator of his intent to review such withdrawal. Copies of the notification shall be sent to all persons who commented on the proposed determination or participated at the hearing. Such persons may submit timely written recommendations concerning review. (1) If the Administrator does not notify him, the Regional Administrator shall give notice at the withdrawal of the proposed determination as provided in § 231.3(d). Such notice shall constitute final agency action. (2) If the Administrator does decide to review, the Regional Administrator or his designee shall forward the administrative record to the Administrator for a final determination under § 231.6. Where there is review of a withdrawal of proposed determination or review of a recommended determination under § 231.6, final agency action does not occur until the Administrator makes a final determination.

(d) Any recommended determination under paragraph (b) of this section shall include the following:

(1) A summary of the unacceptable adverse effects that could occur from use of the disposal site for the proposed discharge;

(2) Recommendations regarding a final determination to prohibit, deny, restrict, or withdraw, which shall confirm or modify the proposed determination, with a statement of reasons.

(e) The administrative record shall consist of the following:

(1) A copy of the proposed determination, public notice, written comments on the public notice and written submissions in the hearing file;

(2) A transcript or recording of the public hearing, where a hearing was held;

(3) The recommended determination;

(4) Where possible a copy of the record of the Corps or the state pertaining to the site in question;

(5) Any other information considered by the Regional Administrator or his designee.

§ 231.6 Administrator's final determinations

After reviewing the recommendations of the Regional Administrator or his designee, the Administrator shall within 30 days of receipt of the recommendations and administrative record initiate consultation with the Chief of Engineers, the owner of record, and, where applicable, the State and the applicant, if any. They shall have 15 days to notify the Administrator of their intent to take corrective action to prevent an unacceptable adverse effect(s), satisfactory to the Administrator. Within 60 days of receipt of the recommendations and record, the Administrator shall make a final determination affirming, modifying, or rescinding the recommended determination. The final determination shall describe the satisfactory corrective action, if any, make findings, and state the reasons for the final determination. Notice of such final determination shall be published as provided in § 231.3, and shall be given to all persons who participated in the public hearing. Notice of the Administrator's final determination shall also be published in the Federal Register. For purposes of judicial review, a final determination constitutes final agency action under section 404(c) of the Act.

§ 231.7 Emergency procedure

Where a permit has already been issued, and the Administrator has reason to believe that a discharge under the permit presents an imminent danger of irreparable harm to municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas) wildlife, or recreational areas, and that the public health, interest, or safety requires, the Administrator may ask the Chief of Engineers to suspend the permit under 33 CFR 325.7, or the state, pending completion of proceedings under Part 231. The Administrator may also take appropriate action as authorized under section 504 of the Clean Water Act. If a permit is suspended, the Administrator and Regional Administrator (or his designee) may, where appropriate, shorten the times allowed by these regulations to take particular actions.

§ 231.8 Extension of time

The Administrator or the Regional Administrator may, upon a showing of

good cause, extend the time requirements in these regulations. Notice of any such extension shall be published in the Federal Register and, as appropriate, through other forms of notice.

[FR Doc. 79-31042 Filed 10-5-79; 8:45 am]

BILLING CODE 6560-01-M

**Tuesday
October 9, 1979**

**Forest
Land
Policy**

Part IV

**Department of the
Interior**

**Heritage Conservation and Recreation
Service**

**Urban Park and Recreation Recovery
Program Eligibility Provisions**

DEPARTMENT OF THE INTERIOR

Heritage Conservation and Recreation Service

36 CFR Part 1223

Urban Park and Recreation Recovery Program Eligibility

AGENCY: Heritage Conservation and Recreation Service, U.S. Department of the Interior.

ACTION: Final rule.

SUMMARY: This rule is published to report on comments received on the selection criteria used in determining the priority eligibility listing under the Urban Park and Recreation Recovery Program (Title X of the National Parks and Recreation Act of 1978, Pub. L. 95-625) printed in the March 14, 1979, Federal Register, and also to finalize the eligibility regulations. A summary of comments is provided on each category of suggested and existing criteria.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION, CONTACT: Mr. Sandy Rives, Urban Programs, Heritage Conservation and Recreation Service, 440 G Street NW., Room 310, Box B, Washington, D.C. 20243, (202) 343-5971.

SUPPLEMENTARY INFORMATION: In his urban policy message of March 27, 1978, President Carter proposed a new federal grant program for urban communities to compete for funds to revive and rebuild parks and recreation facilities. On October 13, 1978, the National Parks and Recreation Act of 1978, Pub. L. 95-625, was passed by the Congress; and on November 10, 1978, the President signed the bill into law. Title X, the Urban Park and Recreation Recovery (UPARR) Act of 1978, authorized the Secretary of the Interior to establish a five year program to provide Federal grants to economically hard-pressed communities, specifically for the rehabilitation of critically needed recreation areas and facilities, and the development of improved recreation programs. The Secretary of the Interior has delegated the responsibility for developing the Urban Park and Recreation Recovery Program to the Director, Heritage Conservation and Recreation Service.

On March 14, 1979, the Heritage Conservation and Recreation Service published as an Interim Rule in the Federal Register (44 FR 15486), criteria for determining eligibility for grants under the Urban Park and Recreation Recovery Program, and a list of eligible jurisdictions.

Also, published as Interim Rules were the criteria for preparation of Local Recovery Action Programs, July 5, 1979, (44 FR 39342) and Grant Procedures Regulations, August 9, 1979, (44 FR 47018). These documents should be referred to for additional information. The Heritage Conservation and Recreation Service is prepared to obligate the 20 million dollar supplemental that was approved as Public Law 96-38 for 1979 Fiscal Year Funding.

The Congress and the Administration have expressed a commitment to the implementation of this critically needed program for Urban Park and Recreation areas. It is necessary to publish this list and criteria as a Final Rule in order to meet the timetable for Fiscal Year Funding. Therefore, pursuant to the exceptions provided for in the Administrative Procedure Act 5 U.S.C., section 553(d)(3), and the Departmental Regulations on Rulemaking in 43 CFR 14.3(f), this list and eligibility criteria are published as a Final Rule effective immediately.

Program Information

The objectives of the Urban Park and Recreation Recovery (UPARR) Program are to assist physically and economically distressed urban jurisdictions revitalize their recreation systems, and to enhance overall recreation opportunities through the use of existing and potential recreation resources.

The program aims to develop linkages between cities and States, between urban recreation, physical resource and human services programs, between the Federal Government and the States, and between the Department of the Interior and other Federal agencies that will help ensure the long-term success of the overall urban revitalization effort.

There are three types of project grants under the UPARR program:

Rehabilitation grants are matching capital grants (70 percent Federal—30 percent local) to local governments for the purpose of rebuilding, remodeling, expanding, or developing existing outdoor or indoor recreation areas and facilities. Funds may be used to improve park landscapes, buildings, and support facilities. Funds may not be used for routine maintenance and upkeep activities nor may they be used for acquisition.

Innovation grants are matching grants (70 percent Federal—30 percent local) to local governments to cover costs of personnel, facilities, equipment, supplies or services designed to demonstrate innovative and cost-effective ways to enhance park and recreation

opportunities at the neighborhood level. Innovation proposals should demonstrate solutions to common problems in system management and the delivery of recreation services. These funds may not be used for routine operation and maintenance activities. Innovation grant awards are limited to ten percent of the total annual authorization for the Urban Park and Recreation Recovery Program.

Recovery Action Program grants are matching grants (50 percent Federal—50 percent local) to local governments for the development of local park and recreation system recovery plans. They may be used to fund preparation of resource and need assessments, coordination, citizen involvement, and policy development activities which contribute to public definition of Recovery goals and priorities.

A summary of public comments and responses on the eligibility regulations follows:

Public Comment Summary

A total of 388 responses on the program were received within the time-frame allotted for comments. Of these, 166 were information and application requests or duplicate letters.

Public Comment Summary Chart

Subject of comment:	Number received
Small city considerations.....	106
Subjurisdiction considerations.....	3
Data concerns.....	12
Questions on population size.....	5
Formula questions.....	0
General concerns.....	34
Non-SMSA wishing consideration.....	7
Questions on Variables.....	22
Letters of general support.....	3
Puerto Rico.....	21
Townships.....	9
Total comments received.....	222

Criteria for Eligibility and Other Comments

Small City Considerations

The greatest number of comments received (108) were from smaller communities advocating their consideration for eligibility in the program. The population figures used were for those communities over 40,000 in 1970 or 1976, counties over 250,000 in 1970 or 1976, and Central Cities of Standard Metropolitan Statistical Areas. The jurisdictions that did not meet this criteria felt that they also had needs and should have the opportunity to participate in UPARR. We realize that all communities have specific needs and can use assistance, but UPARR legislation specifically states that the program be targeted to large urban jurisdictions experiencing difficulties. Congress found that the greatest

recreational deficiencies with respect to land, facilities and programs are found in large cities, especially at the neighborhood level. Inadequate financing of urban recreation programs due to fiscal difficulties in many large cities has led to the deterioration of facilities, nonavailability of recreation services, and an inability to adopt recreational programs to changing circumstances. The population limits used were selected after consultation with the Department of Housing and Urban Development (which has the responsibility of coordinating the Administration's Urban Initiatives), the Bureau of the Census, other Federal program administrators, statisticians, and interested individuals. There was general agreement by those contacted that a large urban area included those population centers over 40,000 and Central Cities of Standard Metropolitan Statistical Areas. The HCRS could not broaden the eligibility to consider the smaller jurisdictions and keep the program within the Congressional intent. Therefore, the proposals to include the smaller jurisdictions were not adopted.

Subjurisdictional Considerations

HCRS received comments stating that distressed areas within jurisdictions should be considered for eligibility. These included statements that cities contain neighborhood areas of great distress although the situation of the overall community may not be indicative of that distress. The purpose of the UPARR Program is to relieve jurisdictional distress. The program's intent is to systematically address urban recreation demand and decline for the entire jurisdiction. Sub-jurisdictional considerations would not allow us to compare jurisdictions on a national basis, and the law does not allow us to fund neighborhoods directly. Finally, neighborhood data is not available on a Nationwide basis, for the analysis of jurisdictional distress in a meaningful manner. The HCRS considered this "pockets of poverty" approach and found it unworkable for the program at this time, and for these reasons could not adopt this suggestion.

Data Concerns

Several cities registered concern about the reliability of the eligibility data and computations, and questioned whether the data used was correct for their jurisdiction. The Heritage Conservation and Recreation Service reevaluated each case where a jurisdiction questioned the data or computations. Individual responses were forwarded to all cities that

requested this reevaluation. For instance, a jurisdiction wrote and requested a copy of the data used to compute eligibility. This information was forwarded along with an explanation of how eligibility was determined. HCRS did not find any case where the wrong indicator or data was used to determine eligibility. Therefore, no jurisdictions were added from these comments.

Questions on Population Size

Several communities requested that we reexamine the population figures for both 1970 and 1976. These communities stated that their population was above 40,000 in 1970, but had drastically declined by 1976. The HCRS requested the Bureau of the Census to reexamine the population figures for all communities. Census reexamination found that there were 21 communities meeting the population thresholds for cities and counties that had to be reevaluated. HCRS reevaluated each of these communities for eligibility in the same manner as the original computations. A score based on the national mean was calculated and those jurisdictions receiving a higher score than the median cutoff point, were added to the list. Fifteen jurisdictions were added under this category.

General

We received questions on the specific manner in which this program would be developed and implemented. Individual responses were forwarded to those persons requesting detailed information or elaboration. They included concerns on Historic Preservation, Community Development, County Participation, Block Grant Linkages and Citizen Participation Requirements. These comments did not question eligibility, therefore, no cities were added under this category.

We also received a suggestion that we include a variable called "Female Heads of Households" that would measure areas in need of high quality recreational opportunities because of frequent unsupervised time for children. HCRS learned that this variable is regionally biased and therefore did not include it. The variable is adequately covered by "Total Population Under 18 years of Age and 60 years and Over" which effectively measures the major users of parks and recreation areas in a jurisdiction. HCRS did not add Female Heads of Households and therefore no jurisdictions were added under this category.

Non-SMSA Communities Wishing Discretionary Consideration

A number of communities not on the eligibility listing and not located within a Standard Metropolitan Statistical Area requested that discretionary funding be enlarged to consider all communities within the U.S. The authorizing legislation specifically limits discretionary participation to jurisdictions located within SMSA's, and therefore this request could not be accommodated. Jurisdictions will be considered for discretionary application if they are incorporated into future listings by the Bureau of the Census.

Variables Used for Eligibility Criteria

Comments were received on the six variables used to determine the eligibility in the March 14, 1979, Federal Register. The comments on these indicators are listed in the same order as the original listing to simplify their review:

1. Population Per Square Mile, 1975.
2. Net Change in Per Capita Income, 1969-1975.
3. Percent Unemployed, 1977.
4. Percent of Households without Automobiles, 1970.
5. Total Population Under 18 Years of Age and 60 Years and Over, 1970.
6. Percent Persons with Income Below 125 Percent Poverty Level, 1970.

Population per Square Mile

Comments received on this variable suggested that the Census Bureau's 'urbanized area' be used rather than traditional jurisdictional boundaries for computing population per square mile. The urbanized area is a designation by the Bureau of the Census which contains a city of 50,000 or more population plus the surrounding densely settled incorporated and unincorporated areas. The Census Bureau's 'urbanized area' may not include the entire boundary of a particular community, but may include entire city boundaries as well as portions of others. The concern was that the overall density for the jurisdiction is low when there are high density areas in parts of the jurisdiction. The Census Bureau's 'urbanized area' designation was examined by HCRS as a result of these comments and found to be unusable for the program, because there is no collected data for 'urbanized areas' and special computations would have been necessary. Also, the urbanized area designation crosses city, county, and State boundaries. For example, the New York City 'urbanized area' encompasses parts of three states and a multitude of localities. The HCRS found that no comparison of jurisdictions

could be made if density per square mile is computed by 'urbanized area' rather than by traditional boundaries. The difficulties of lack of data made this proposal nonfeasible. Therefore, population per square mile using traditional jurisdictional boundaries, will continue to be an eligibility factor for the UPARR Program since it is the most available and reliable indicator of density.

Net Change in per Capita Income, 1969-75

Most comments on the income variable criticized the lack of adjustment for cost of living between jurisdictions. Individuals felt that areas with higher costs of living should receive additional points. Low cost of living areas felt they were being discriminated against. HCRS originally considered using cost of living indexes early in the development of the eligibility regulations, but found that the Bureau of Labor Statistics does not have available nationwide indicators. We therefore could not make adjustments. In response to the concerns of low cost areas versus high cost areas, the differences among areas was avoided by using net change in per capita income instead of a yearly per cent figure. This is the dollar change over a six year period. HCRS considered each proposal, but net change in per capita income 1969-1975 will continue to be used since it is reliable and the best available indicator of a jurisdiction's relative financial capacity.

Percent Unemployed, 1977

Comments received on this indicator were from small communities not on the eligibility list. These communities felt that population limits should be reduced and they did not want this indicator used because unemployment data is not available for small communities. Our response is that unemployment is an excellent indicator, measuring those jurisdictions experiencing physical and economic distress. The data is available for the large urban communities that are the legislative target of the program. The use of this measure is consistent with the mandate of the Act and will continue to be used.

Percent of Households Without Automobiles Available, 1970

The comments on this variable were from jurisdictions without developed mass transportation systems. They felt this variable unfairly disadvantaged their communities in the eligibility selection criteria. The HCRS examined this criticism and found that close-to-home recreation resources are

particularly needed by those without automobiles. The *Recreation Access Study* by the Department of Transportation, estimated that 90-95 percent of all trips to recreation area facilities are made in private automobiles. Additionally, this study found that public transportation systems are structured and operated to serve travel demands primarily to work and secondarily for shopping, and operating strategies are not conducive to the use of public transportation for recreational purposes. This detailed study documents the problems of the carless group in reaching recreation areas outside their neighborhood. The UPARR program will provide grants to rebuild recreation areas and facilities close to home and HCRS finds a most needy user group is the carless. This indicator measures that group and is a traditional measure of need for close to home resources. Therefore, the use of this measure is in keeping with the intent of the program.

Total Population Under 18 Years of Age, and 60 Years and Over, 1970

All comments received supported the use of this variable.

Percent Persons With Income Below 125 Percent Poverty Level, 1970

Comments on this variable suggested that the poverty level figures be adjusted for cost of living indexes by jurisdiction or region. This information is not available nationwide. We realize there are differences among regions and therefore we considered those that were near poor by including the 125 percent level. We also used the percent of persons in poverty level, rather than households, in order to consider all needy individuals. This measure is the most current available indicator of poverty. We were not able to incorporate the suggestion of jurisdictional cost of living adjustments and will continue to use this measure.

Township and Puerto Rico Eligibility

The Interim Rule of March 14, 1979, did not list townships in the United States and municipios in the Commonwealth of Puerto Rico since data for the variables used in determining eligibility was not available and the 120 days statutory limitation did not allow time to compute eligibility. The March 14 Federal Register notified townships and municipios with populations over 40,000 to request eligibility. Due to the uncertain governmental authority of townships, they were requested to submit evidence of a general purpose local government when requesting eligibility. We received nine requests from townships and

twenty-one from municipios for eligibility consideration. We applied the six original variables as described in the March 14 Federal Register computing eligibility in the same manner as for the original listing. Those jurisdictions receiving a score higher than the median cutoff were designated eligible and are included in the Amended Appendix B. Five townships and 17 Puerto Rico municipios were added to the listing. HCRS will continue to consider townships and municipios that desire a determination of eligibility and will publish those designated eligible in the Federal Register.

Items To Be Clarified

Numerous requests for information were received from private non-profit organizations such as YMCA's and Boys' Clubs across the country regarding funding. Each letter was responded to, and the organizations were provided information on applications for funding. The law does not allow HCRS to fund private non-profit organizations directly. Private non-profit organizations must work with the chief executive of the local jurisdiction. At the discretion of the local government, grants may be transferred to independent special purpose local governments, county or regional park authorities, or private non-profit organizations. Any project for which funding is proposed must be open to the public, be part of the local government Recovery Action Program, and be a demonstrated priority within the community. The pass-through funding decision is that of the local government's chief executive, not HCRS.

Statement on Significance

The Department of the Interior has determined that this document is a significant rule but that it does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Review Process

The Heritage Conservation and Recreation Service is committed to a review of the entire concept of eligibility including the eligibility factors and jurisdiction listing one year after the issuance of the first grants. There is a great deal of study going on at this time with regard to targeting of programs. A review of the program will allow us to take advantage of the work in other departments and agencies on this issue over the next year.

Authorship Statement

The primary author of this document was Mr. Sandy Rives, of the Heritage Conservation and Recreation Service.

Dated: September 27, 1979.

Robert L. Herbst,
Assistant Secretary for Fish and Wildlife and
Parks.

In consideration of the foregoing, Part 1228 is added, consisting at this time of Appendix A and Appendix B, to 36 CFR Chapter 12, to read as follows:

PART 1228—URBAN PARK AND RECREATION RECOVERY ACT OF 1978

Sec.

* * * * *

Appendix A—Criteria for Eligibility.
Appendix B—List of Eligible Jurisdictions.
Authority: Sec. 1005(a) of title X, National
Parks and Recreation Act of 1978, Pub. L. 95-
625 (16 U.S.C. 2504)

* * * * *

Appendix A—Criteria for Eligibility

Jurisdictions were considered for eligibility if they were functioning general purpose local governments in one of three categories:

1. Central cities of Standard Metropolitan Statistical Areas in either 1970 or 1976 (1970 data derived from U.S. Bureau of the Census, Census of Population: 1970, 1976 data derived from U.S. Bureau of the Census, 1976 Revenue Sharing Estimates File).

2. Cities and townships with Populations of 40,000 or more in either 1970 or 1976 (1970 data derived from U.S. Bureau of the Census, Census of Population: 1970, 1976 data derived from U.S. Bureau of the Census, 1976 Revenue Sharing Estimates File).

3. Counties with populations of 250,000 or more in either 1970 or 1976 (1970 data derived from U.S. Bureau of the Census, Census of Population: 1970; 1976 data derived from 1976 Revenue Sharing Estimates File).

Indicators (variables) of distress and need were selected to determine eligibility for the program and were chosen for timeliness, reliability, and relevance to the Act. Certain variables were not used due to duplication, others because they were not available for all jurisdictions, and some because they were unrelated to the purposes of the Act. (Section 1002 of the Act states that the Congress finds that (a) the quality of life in urban areas is closely related to the availability of fully functional park and recreation systems including land, facilities, and service programs; (b) residents of cities need close-to-home recreational opportunities that are adequate to specialized urban demands, with parks and facilities properly located, developed, and well maintained; (c) the greatest recreational deficiencies with respect to land, facilities, and programs are found in many large cities, especially at the neighborhood level; (d) inadequate financing of urban recreation programs due to fiscal difficulties in many large cities has led to the deterioration of facilities, nonavailability of recreation services, and an inability to adapt recreational programs to changing circumstances; and (e) there is no existing Federal assistance program which fully addresses the needs for physical rehabilitation and revitalization of these park and recreation systems.)

The Heritage Conservation and Recreation Service asked the Bureau of the Census to assist in the analysis of national data in order to ensure that reliable, timely and applicable indicators of distress were used in determining eligibility for the program. HCRS received comments from a number of interested individuals on what they considered, in their best judgment, to be the criteria that should be used in the program. HCRS also received numerous position papers from national interest groups on what they thought were suitable indicators for the program. HCRS then began a narrowing process intended to select the most appropriate criteria for eligibility in the program.

Listed below are the six variables selected for eligibility criteria:

Population Per Square Mile

This variable is commonly termed population density, and it is defined as the number of persons per square mile of land. It provides an indication of the extent to which an area is urbanized. Highly urbanized areas are most lacking in land set aside for recreation and park facilities and are experiencing difficulty in maintaining existing facilities. Highly dense areas tend to have the greatest need for assistance in revitalization of their neighborhood park and recreation facilities. Therefore, jurisdictions having high values for density would be favored by this variable, based on 1975 data of the U.S. Bureau of the Census.

Net Change in Per Capita Income 1969-75

Per capita income is the estimated average amount of total money income per person. It is derived by dividing the total income of a particular group by the total population in that group. Comparison of change in per capita income between urban jurisdictions provides an indication of each jurisdiction's economic growth. If the income of a city is growing more slowly than another city, the city with slower growth is in a relatively weaker economic position. As cited in the "Report on the Fiscal Impact of the Economic Stimulus Package on 48 Large Urban Governments (1978)," income growth is a determinant of taxable wealth and level of economic activity, and indicates a jurisdiction's capability to finance its own recreation and other projects. This measure of financial capacity is related to the Act which stipulates that the Secretary of the Interior consider factors related to economic distress. Therefore, jurisdictions with either negative or low relative growth in per capita income would be favored by this variable, based on 1976 data of the U.S. Bureau of the Census.

Percent Unemployed, 1977

Percent unemployed, commonly termed the unemployment rate is defined as the number of people unemployed as a percent of the civilian labor force. The unemployment data are the product of a Federal/State cooperative program in which State Employment Security agencies prepare labor force and unemployment estimates using concepts, definitions, and technical procedures established by the Bureau of Labor Statistics. The *National Urban*

Recreation Study found that recreation and leisure time opportunities are most limited for the economically disadvantaged, including the unemployed. The 17 field studies of the *National Urban Recreation Study* reveal that low-income neighborhoods have less program diversity, little, if any, commercial recreation opportunities, and fewer year-round programs than higher income neighborhoods. Consideration of this variable is consistent with the mandate of the Act which requires that criteria be considered related to physical and economic distress. Therefore, this variable would tend to favor jurisdictions having high unemployment rates.

Percent of Households Without Automobiles Available, 1970

Automobile availability, as defined by the Bureau of the Census, represents the number of passenger automobiles, including station wagons, which are owned or regularly used by any member of the household and which are ordinarily kept at home. Taxicabs, pickups, or larger trucks were not counted. Lack of automobile availability is closely related to lack of recreation opportunity. The Recreation Access Study (U.S. Department of Transportation, 1975) found that access to a diversity of recreation opportunities is generally assured for those who have automobiles and are willing to travel reasonable distances, but such opportunities are often severely limited for people without cars. In addition, the 17 field studies of the *National Urban Recreation Study* concluded that most recreation opportunities for those without access to a personal auto is limited to immediate neighborhoods or place of residence. This variable is relevant to the Act in that the transportation disadvantaged households are the group that has the greatest need for expanded opportunities to enjoy their close to home resources.

Therefore, jurisdictions having a high proportion of households without automobiles would be favored by this variable, based on 1970 data of the U.S. Bureau of the Census.

Total Population Under 18 Years of Age, and 60 Years and Over, 1970

This variable identifies those persons most likely to be the most frequent users of public park and recreation facilities. While many senior citizens have adequate incomes, they tend to be considerably less affluent and less mobile than the general population. Younger and older children also need public recreation facilities, especially in highly urbanized areas, where recreation facilities are most lacking. This variable was selected to favor areas with greater concentrations of the dependent population where need for recreation would be the greatest, and where rehabilitation of existing facilities the most pressing, in accordance with the Act. The variable was used in its absolute rate to give an indication of the size of the client populations in each jurisdiction, based on 1970 data of the U.S. Bureau of the Census.

Percent Persons With Income Below 125 Percent Poverty Level, 1970

In 1970, percent of population below poverty level was calculated by the Bureau of the Census as the proportion of the total

population which reported income below the poverty level. This variable is the most current available indicator of poverty status for the jurisdictions in question. To accommodate the needs of economically disadvantaged people whose incomes are somewhat above the poverty level, such as those employed part-time, or those in very low-paid jobs, persons with incomes up to 125% of poverty are included in this variable. The poor and near-poor have the greatest need for public recreation opportunities and services in proximity to their homes. This variable is also related to that part of the Act which stipulates that the Secretary of the Interior consider "deficiencies in access to neighborhood recreation facilities, particularly for . . . low- and moderate-income residents," and the extent to which park and recreation recovery efforts would provide employment opportunities for low- and moderate-income residents. Rehabilitation of parks is a relatively labor intensive activity having the potential for providing short-term jobs with low-skill requirements. Persons with poverty level incomes tend to lack skills and jobs. Therefore, this variable was selected to favor jurisdictions having a large percentage of its population in poverty. The poverty level of income is based on an index developed by the Social Security Administration in 1984 and subsequently modified by a Federal Interagency Committee. In 1989, the poverty thresholds ranged from \$1,487 for a female unrelated individual 65 years old and over living on a farm to \$6,116 for a nonfarm family with a male head and with seven or more persons. The average poverty threshold for a nonfarm family of four headed by a male was \$3,745.

Determination of Eligibility

The method used to combine the variables had four steps. First, all values for each of the six variables were expressed in common or standard units. Second, for each jurisdiction, the standardized values for the six variables were added to produce a score. Third, the scores were ranked from high values (most eligible) to low values (least eligible). Fourth, jurisdictions having scores above the median score for all jurisdictions were designated "eligible."

County Eligibility

The Administration stated before the Senate Subcommittee on Parks and Recreation on June 27, 1978, that it would ensure fair consideration of urban counties for eligibility under the Urban Park and Recreation Recovery Program. The Administration has kept this commitment by subjecting urban county data to the same eligibility standards as cities and including urban counties which meet those standards on the eligibility list. All urban counties with a population over 250,000 were considered under the same criteria (indicators of distress and need) as the city counterparts. Counties within and SMSA not on the eligibility list may compete for assistance as discretionary applicants.

The history of the Administration's UPARR proposal clearly indicates that this program is part of an overall national urban policy.

Therefore, in accordance with the legislative mandate, project selection criteria will require that county projects be justified in terms of direct service to identifiable urban neighborhoods (residential areas), and that there must be evidence of cooperation between a county and its major city.

Discretionary Grants

Section 1005(b) of the Bill states that at the Secretary's discretion, up to 15 percent of the program funds annually may be granted to local governments which do not meet eligibility criteria, but are located in Standard Metropolitan Statistical Areas, provided that these grants to general purpose governments are in accord with the intent of the program. These governments may apply for grants under the program regardless of whether or not they are included on the list of eligible jurisdictions.

Appendix B—List of Eligible Jurisdictions

The following are those jurisdictions eligible for the Urban Park and Recreation Recovery Program:

Cities Eligible for the Urban Park and Recreation Recovery Program

Akron, Ohio
Albany, Georgia
Albany, New York
Alexandria, Louisiana
Alhambra, California
Allentown, Pennsylvania
Altoona, Pennsylvania
Aguadilla, Puerto Rico
Anniston, Alabama
Arecibo, Puerto Rico
Asbury Park, New Jersey
Asheville, North Carolina
Athens, Georgia
Atlanta, Georgia
Atlantic City, New Jersey
Auburn, Maine
Augusta, Georgia
Babylon Township, New York
Baldwin Park, California
Baltimore, Maryland
Baton Rouge, Louisiana
Battle Creek, Michigan
Bayamon, Puerto Rico
Bay City, Michigan
Bayonne, New Jersey
Bellflower, California
Bellingham, Washington
Berkeley, California
Biloxi, Mississippi
Binghamton, New York
Birmingham, Alabama
Bloomfield, New Jersey
Bloomington, Indiana
Boston, Massachusetts
Bradenton, Florida
Bridgeport, Connecticut
Bridgeton, New Jersey
Bristol, Tennessee
Brockton, Massachusetts
Brookline Township, Massachusetts
Brownsville, Texas
Buffalo, New York
Caguas, Puerto Rico
Cambridge, Massachusetts
Camden, New Jersey
Canton, Ohio
Carolina, Puerto Rico
Carson, California

Cayey, Puerto Rico
Charleston, South Carolina
Charlottesville, Virginia
Chattanooga, Tennessee
Chester, Pennsylvania
Chicago, Illinois
Chicago Heights, Illinois
Chicopee, Massachusetts
Chula Vista, California
Cicero, Illinois
Cincinnati, Ohio
Clarksville, Tennessee
Cleveland, Ohio
Cocoa, Florida
Columbia, South Carolina
Columbus, Georgia
Columbus, Ohio
Compton, California
Corpus Christi, Texas
Covington, Kentucky
Danville, Illinois
Danville, Virginia
Dayton, Ohio
Daytona Beach, Florida
Denison, Texas
Denver, Colorado
Detroit, Michigan
District of Columbia
Dothan, Alabama
Duluth, Minnesota
Durham, North Carolina
East Chicago, Indiana
East Lansing, Michigan
East Orange, New Jersey
East Providence, Rhode Island
East St. Louis, Illinois
Easton, Pennsylvania
Edinburg, Texas
El Monte, California
El Paso, Texas
Elizabeth, New Jersey
Elmira, New York
Erie, Pennsylvania
Evanston, Illinois
Evansville, Indiana
Everett, Massachusetts
Everett, Washington
Fall River, Massachusetts
Fayetteville, North Carolina
Fitchburg, Massachusetts
Flint, Michigan
Florence, Alabama
Ft. Myers, Florida
Freeport, New York
Fresno, California
Gadsden, Alabama
Gainesville, Florida
Galveston, Texas
Gary, Indiana
Gastonia, North Carolina
Grand Rapids, Michigan
Granite City, Illinois
Greenville, Mississippi
Greenville, South Carolina
Guayama, Puerto Rico
Guaynabo, Puerto Rico
Gulfport, Mississippi
Hamilton, Ohio
Harlingen, Texas
Harrisburg, Pennsylvania
Hartford, Connecticut
Hattiesburg, Mississippi
Haverhill, Massachusetts
Hawthorne, California
Hazelton, Pennsylvania
Hemstead Township, New York

Hialeah, Florida
High Point, North Carolina
Hoboken, New Jersey
Holyoke, Massachusetts
Hopkinsville, Kentucky
Humacao, Puerto Rico
Huntington, West Virginia
Indianapolis, Indiana
Inglewood, California
Irvington, New Jersey
Jackson, Michigan
Jackson, Mississippi
Jackson, Tennessee
Jacksonville, Florida
Jersey City, New Jersey
Johnson City, Tennessee
Johnstown, Pennsylvania
Joplin, Missouri
Juana Diaz, Puerto Rico
Kalamazoo, Michigan
Kankakee, Illinois
Kansas City, Kansas
Kansas City, Missouri
Kenner, Louisiana
Kenosha, Wisconsin
Killeen, Texas
Knoxville, Tennessee
Kokomo, Indiana
La Crosse, Wisconsin
Lafayette, Louisiana
Lake Charles, Louisiana
Lakeland, Florida
Lakewood, Ohio
Lancaster, Pennsylvania
Lansing, Michigan
Laredo, Texas
Las Cruces, New Mexico
Lawrence, Massachusetts
Lawton, Oklahoma
Lewiston, Maine
Lima, Ohio
Lompoc, California
Long Beach, California
Long Branch, New Jersey
Los Angeles, California
Louisville, Kentucky
Lowell, Massachusetts
Lynchburg, Virginia
Lynn, Massachusetts
Lynwood, California
Macon, Georgia
Malden, Massachusetts
Manchester, New Hampshire
Mansfield, Ohio
Marietta, Ohio
Marion, Indiana
Marshall, Texas
Mayaguez, Puerto Rico
McAllen, Texas
Medford, Massachusetts
Melbourne, Florida
Memphis, Tennessee
Meriden, Connecticut
Meridian, Mississippi
Miami, Florida
Miami Beach, Florida
Middletown, Ohio
Millville, New Jersey
Milwaukee, Wisconsin
Minneapolis, Minnesota
Mobile, Alabama
Modesto, California
Monroe, Louisiana
Montgomery, Alabama
Moss Point, Mississippi
Mount Vernon, New York

Muncie, Indiana
Muskegon, Michigan
Muskegon Heights, Michigan
Muskogee, Oklahoma
National City, California
New Bedford, Massachusetts
New Britain, Connecticut
New Brunswick, New Jersey
New Haven, Connecticut
New London, Connecticut
New Orleans, Louisiana
New Rochelle, New York
New York, New York
Newark, New Jersey
Newark, Ohio
Newport News, Virginia
Niagara Falls, New York
Norfolk, Virginia
North Bergen Township, New Jersey
North Chicago, Illinois
Norwalk, California
Norwich, Connecticut
Oak Park, Illinois
Oakland, California
Oceanside, California
Ogden, Utah
Omaha, Nebraska
Ontario, California
Orange, Texas
Orlando, Florida
Oshkosh, Wisconsin
Oxnard, California
Panama City, Florida
Parkersburg, West Virginia
Pasco, Washington
Passaic, New Jersey
Paterson, New Jersey
Pawtucket, Rhode Island
Pensacola, Florida
Perth Amboy, New Jersey
Petersburg, Virginia
Pharr, Texas
Philadelphia, Pennsylvania
Phoenix, Arizona
Pico Rivera, California
Pine Bluff, Arkansas
Pittsburgh, Pennsylvania
Pittsfield, Massachusetts
Plainfield, New Jersey
Pomona, California
Ponce, Puerto Rico
Pontiac, Michigan
Port Arthur, Texas
Portland, Maine
Portland, Oregon
Portsmouth, Virginia
Poughkeepsie, New York
Pritchard, Alabama
Providence, Rhode Island
Provo, Utah
Pueblo, Colorado
Quincy, Illinois
Quincy, Massachusetts
Rantoul, Illinois
Reading, Pennsylvania
Revere, Massachusetts
Richmond, California
Richmond, Indiana
Richmond, Virginia
Roanoke, Virginia
Rochester, New York
Rome, New York
Rosemead, California
Sacramento, California
Saginaw, Michigan
St. Joseph, Missouri

St. Louis, Missouri
St. Paul, Minnesota
St. Petersburg, Florida
Salem, Massachusetts
Salinas, California
San Antonio, Texas
San Benito, Texas
San Bernardino, California
San Diego, California
San Francisco, California
San Juan, Puerto Rico
Santa Ana, California
Santa Cruz, California
Santa Fe, New Mexico
Santa Maria, California
Santa Monica, California
Sarasota, Florida
Savannah, Georgia
Schenectady, New York
Scranton, Pennsylvania
Seaside, California
Seattle, Washington
Shreveport, Louisiana
Somerville, Massachusetts
South Gate, California
Spartanburg, South Carolina
Spokane, Washington
Springfield, Massachusetts
Springfield, Ohio
Springfield, Oregon
Steubenville, Ohio
Stockton, California
Suffolk, Virginia
Superior, Wisconsin
Syracuse, New York
Tacoma, Washington
Tampa, Florida
Taunton, Massachusetts
Terre Haute, Indiana
Texarkana, Arkansas
Texarkana, Texas
Titusville, Florida
Toa Baja, Puerto Rico
Toledo, Ohio
Trenton, New Jersey
Troy, New York
Trujillo Alto, Puerto Rico
Tucson, Arizona
Tuscaloosa, Alabama
Union City, New Jersey
Upper Darby Township, Pennsylvania
Urbana, Illinois
Utica, New Jersey
Vega Baja, Puerto Rico
Vineland, New Jersey
Waco, Texas
Waltham, Massachusetts
Warren, Ohio
Waterbury, Connecticut
West Haven, Connecticut
West New York, New Jersey
West Palm Beach, Florida
Wheeling, West Virginia
Wilkes-Barre, Pennsylvania
Williamsport, Pennsylvania
Wilmington, Delaware
Wilmington, North Carolina
Winston-Salem, North Carolina
Winter Haven, Florida
Woonsocket, Rhode Island
Worcester, Massachusetts
Wyandotte, Michigan
Yakima, Washington
Yauco, Puerto Rico
Yonkers, New York
York, Pennsylvania

Youngstown, Ohio

Counties Eligible for the Urban Park and Recreation Recovery Program

Alameda Co., California
Allegheny Co., Pennsylvania
Bernalillo Co., New Mexico
Bexar Co., Texas
Bristol Co., Massachusetts
Camden Co., New Jersey
Charleston Co., South Carolina
Cook Co., Illinois
Cuyahoga Co., Ohio
Dade Co., Florida
El Paso Co., Texas
Erie Co., New York
Essex Co., Massachusetts
Essex Co., New Jersey
Franklin Co., Ohio
Fresno Co., California
Fulton Co., Georgia
Hamilton Co., Ohio
Hamilton Co., Tennessee
Hampden Co., Massachusetts
Hillsborough Co., Florida
Hudson Co., New Jersey
Jackson Co., Missouri
Jefferson Co., Alabama
Kern Co., California
Los Angeles Co., California
Lucas Co., Ohio
Luzerne Co., Pennsylvania
Mahoning Co., Ohio
Maricopa Co., Arizona
Middlesex Co., Massachusetts
Milwaukee Co., Wisconsin
Mobile Co., Alabama
Nassau Co., New York
Nueces Co., Texas
Oneida Co., New York
Onondaga Co., New York
Orange Co., Florida
Passaic Co., New Jersey
Pinellas Co., Florida
Plymouth Co., Massachusetts
Polk Co., Florida
Riverside Co., California
St. Clair Co., Illinois
San Bernardino Co., California
San Diego Co., California
San Joaquin Co., California
Shelby Co., Tennessee
Sonoma Co., California
Suffolk Co., New York
Wayne Co., Michigan
Worcester Co., Massachusetts

[FR Doc. 79-31082 Filed 10-5-79; 8:45 am]

BILLING CODE 4310-03-M

**Tuesday
October 9, 1979**

Part V

**Department of the
Interior**

Bureau of Indian Affairs

**Indian Education; Policies and Transfer
of Functions**

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 31a

Indian Education Policies

October 2, 1979.

AGENCY: Bureau of Indian Affairs,
Department of the Interior.

ACTION: Final rule.

SUMMARY: Beginning on page 29832 of the May 22, 1979, Federal Register (44 FR 29832), there was published a notice of proposed rulemaking to add a new Part 31a to Chapter 1, Subchapter E, of Title 25 of the Code of Federal Regulations. Part 31a, Indian Education Policies, prescribes the policies for the administration of all BIA education programs including the operation of the BIA school system. These changes are required by sections 1130 and 1133 of the Education Amendments of 1978 (Pub. L. 95-561; 25 U.S.C. 2010 and 2013).

EFFECTIVE DATE: November 8, 1979.

FOR FURTHER INFORMATION CONTACT: Rick C. Lavis, Deputy Assistant Secretary, Department of the Interior, 18th and C Streets, NW., Washington, D.C. (202) 343-7163.

SUPPLEMENTARY INFORMATION: The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and Sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9) and redelegated to the Assistant Secretary for Indian Affairs by 209 DM 8.

The Task Force on Indian Education Policies, constituted by the Assistant Secretary—Indian Affairs to oversee the preparation of these regulations, received fifty-eight (58) comments on the proposed regulations, four of which were totally supportive, fourteen of which were general or dealt with other issues having no specific reference to policies, and forty of which were substantive.

A. General

A number of typographical and punctuation errors were corrected. Definitions were added for "consultation," "early childhood education," "exceptional education programs," "Indian organization" and "Tribal organization." The Task Force's definition of "consultation" was modified to eliminate the consent element which it recommended since it is a consultation process rather than an "advise and consent" situation which legally pertains. The definition of "Indian Tribe" or "Tribe" has been

modified to make it accord with the definition in sec. 1139 (10) of Pub. L. 95-561.

A number of Tribes, particularly in Nebraska and in the Northwest, and several agencies expressed serious concern over the omission of specific policies regarding public schools. The Task Force discussed this issue at great length prior to first publication and again, in considering the comments. We recognize that our authority is limited in prescribing policies for public schools since they are governed by state laws and by locally elected school boards. Yet, we are also anxious to reassert the responsibility of the states for education and encourage the involvement of Indian people in public education.

B. Comments Adopted

1. As a result of some confusion over the applicability of these policies to Tribally operated contract schools, several minor changes were made in Section 31a.1. Several commentors wanted to delete the phrase that made contract school compliance optional so as to maintain uniform accountability in all schools. However, we believe this requirement would be in conflict with the prerogatives established in Pub. L. 93-638 as well as with the language regarding standards in Section 1121(e) of Pub. L. 95-561 which states:

"(e) The Secretary, through contracting procedures, shall assist school boards of contract schools in the implementation of the standards established under Subsection (b) and (c), if the school boards request that such standards, in part or in whole, be implemented. The Secretary shall not refuse to enter into a contract with respect to any contract school on the basis of failure to meet such standards. At the request of a contract school board, the Secretary shall provide alternative or modified standards for the standards established under subsections (b) and (c) to take into account the needs of the Indian children and the contract school."

We assume that the legislative intent was that the same options would apply to policies.

§ 31a.1 Purpose and Scope read:

"The purpose of this Part is to state that policies to be followed by all schools and education programs under the jurisdiction of the Bureau of Indian Affairs. Contract schools operated by Indian Tribes or Alaska Native entities may develop their independent policies or may adhere to these, if they so choose. The adherence to the appropriate policies shall reflect the best interests of the student, the Federal government, the tribes and Alaska

Native entities, and shall be based on educationally sound judgment."

We revised the second sentence to reinforce the accountability inherent in a contract as follows:

"Contract schools operated by Indian tribes or Alaska Native entities may develop their independent policies, consistent with contractual obligations, or adhere to these."

2. Several commentors, including a field solicitor, were concerned with paragraph 31a.4(f) Religious Freedom, either because of "church-state" interference due to the use of the term "promote" or because of some tribes' not wanting schools involved in religious and cultural matters which they consider private. We inserted the phrase "... consistent with Tribal and Alaska Native entities' wishes ..." to address the issue of privacy and believe the American Indian Religious Freedom Act which was already referenced adequately addresses the matter of "church-state" conflict.

It was pointed out that in paragraph 31a.4(g), Tribal Rights Regarding Governing Bodies and Planning, we had said:

"Develop with the consent and consultation of tribes and Alaska Native entities a plan to include ..." The commentors argued that, in the case of multi-tribal post-secondary schools, it would be impossible to get the consent of all tribes and thus result in discouraging or slowing down planning and policy making. We agreed and deleted the "consent" phrase.

3. In paragraph 31a.4(h), Multilingual Education, there were several suggestions. One commentor felt the programs and materials should not be used at tribal discretion but should be mandatory. The Task Force disagreed in that at least a few tribes believe the native language should only be taught in the home. One tribe wanted the term changed to "bilingual" since only the native language and English were involved. The Task Force cited cases of students with Spanish, English and Indian language or more than one Indian language and English and chose not to change it. However, we did add "school boards" at the end to read:

"... which school boards, Tribes and Alaska Native entities may use at their discretion."

4. Paragraph 31a.4(i) read:

"Choice of School. Afford Indian and Alaska Native students' the opportunity to attend local day schools and other schools of choice and the option to attend boarding schools when the students, parents, and tribe or Alaska Native village determine it is in the student's best interest except that,

residential schools shall not be used as substitutes for providing adequate social services to Indian and Alaska Native families." This evoked many comments. Some did not believe the tribe should be involved in the decision as to where a student attended school. One felt the regulation implied the student alone could decide, e.g. a 3rd grader. Several expressed concerns that an open choice of school would make it impossible for schools to plan adequately, (budgets, construction, etc.). The clause—"except that residential schools shall not be used as substitutes for providing adequate social services to—families" was interpreted by one commentator to mean school social services such as counseling and clothing rather than family services. The language was revised to read:

"Choice of School. Afford Indian and Alaska Native students the opportunity to attend local day schools and other schools of choice and the option to attend boarding schools when the student and parent or guardian determine it is in the student's best interest and consistent with the provisions of the Indian Child Welfare Act of 1978 (Pub. L. 95-608) except that, residential schools shall not be used as substitutes for providing adequate local family social services. Each school shall establish its attendance area in cooperation with neighboring schools."

Paragraph 31a.4(i), Choice of School, just discussed above, deals with the option of attending local public schools. We have added the following italicized phrase to paragraph 31a.4(k)(3) Advocacy and Coordination, to emphasize specific program areas:

"(k) Advocacy and Coordination.

"(1) Serve as an advocate for Indian Tribes and Alaska Native entities in education matters before the Federal, state and local governments.

"(2) Assume an assertive role in coordinating comprehensive support for Indian and Alaska Native students internally and from other agencies in education, mental and physical health, juvenile justice, job training, including apprenticeship programs and other related Federal, state and local program services.

"(3) Serve as an advocate and carry out responsibilities for Indian and Alaska Native students in public and other non-Bureau operated schools consistent with the wishes of the appropriate Indian tribes and Alaska Native entities, particularly in regard to Impact Aid (Pub. L. 91-874), Johnson O'Malley and all Elementary and Secondary Education Act programs."

5. Paragraph 31a.4(1) read:

"Student Assessment. Establish and maintain a program of research and development to provide accurate and culturally specific assessment instruments to measure student performance in cooperation with, and at the option of, tribes and Alaska Natives."

One commentator's view was that student assessment is critical and should not be left to the option of tribes.

The Task Force agreed and deleted that phrase to make the subsection now read:

"(1) Student Assessment. Establish and maintain a program of research and development to provide accurate and culturally specific assessment instruments to measure student performance in cooperation with tribes and Alaska Native entities."

6. It was pointed out by a field solicitor that in paragraph 31a.4(g) of the proposed regulations the requirement that tribes be notified of even pending legal opinions would put the Solicitor's Office or Attorney General in an untenable position, since pending or proposed opinions are often not reflective of final opinions and publicizing them could have very undesirable results. The Task Force agreed and added the following italicized phrase.

"(g) Tribal Notification and Involvement and Program Flexibility. (1) Notify Indian Tribes and Alaska Native entities of pending or final Federal legislation, appropriations, Solicitor's and Attorney General's opinions, and court decisions affecting Indian and Alaska Native education for the purposes of information and consultation providing them ready access at the local level to all evaluations, data, records, reports, and other relevant information, consistent with the provisions of the Privacy and Freedom of Information Acts."

7. Paragraph 31a.4(t) Alternative, Innovative and Exemplary Programs, received the comment that it was fine to encourage such programs, but without adequate money to develop and operate them, it was meaningless. This concern was voiced repeatedly, not just in reference to this policy, but to early childhood, community school use, equity funding, etc. The Task Force recognized this discrepancy, but wants the Bureau's policies to reflect the ideal world, not the real world of limited appropriations. We did add the italicized language:

"(t) Alternative, Innovative and Exemplary Programs. Vigorously encourage and support alternative, innovative and exemplary programs reflecting tribal or Alaska Native village specific learning styles, including but

not limited to, parent-based early childhood education programs, adult and vocational technical education, library and media services, special education including programs for handicapped, gifted, and talented students, summer programs, and career development."

8. Paragraph 31a.4(w), Equal Opportunity, was amended by adding the italicized phrase at the end to alleviate several commentators concerns:

"(w) Equal Opportunity. Establish and enforce policies and practices to guarantee equal opportunity and open access to all Indian and Alaska Native students in all matters relating to their education programs, consistent with the provisions of the Privacy and Freedom of Information Acts."

9. Comments on paragraph 31a.4(x) raised the concern that Bureau contracting also needs improved accountability and the italicized material was added:

"(x) Accountability, Evaluation and MIS. (1) Enforce a strict standard of fiscal, programmatic and contract accountability to the tribes and Alaska Native entities and assist them in the development of their own standards of accountability and carry out annual evaluations of all Bureau-operated or funded education programs."

10. Paragraph 31a.4(y) read:

"(y) Accreditation. Encourage and assist all Bureau and contract schools to attain appropriate State, Regional, Tribal or National accreditation."

Several people, particularly educators, felt that accreditation should be required, not just encouraged, so as to provide the highest quality education. The Task Force agreed in concept, but felt this might be too stringent, especially for new schools. It was decided that this policy should be reconsidered within one year after the educational standards are established to determine if such a requirement should be enforced. A new subsection was added to read:

"(2) Assist and promote the establishment of Indian regional and/or national accrediting associations for all levels of Indian Education."

11. Paragraph 31a.4(z), Eligibility for Services received considerable comment. It read:

"(z) Eligibility for Services. Serve Indian and Alaska Native students who are recognized by the Secretary of the Interior as eligible for Federal services, because of their status as Indians or Alaska Natives, whose Indian blood quantum is 1/4 degree or more.

Several tribes favored the 1/4 degree blood quantum requirement; most did not. It was realized by the Task Force

that the Appropriations Act language is what limits the Bureau from providing services to those of less than ¼ degree Indian blood. Although the Task Force proposed to change the language, the Solicitor's office advised the language in the proposed regulations is legally required.

We had overlooked the need to make an exception in eligibility for children of BIA personnel in isolated locations. The subsection was revised to read:

"(z) Eligibility for Services. Serve Indian and Alaska Native Students who are recognized by the Secretary of the Interior as eligible for Federal services, because of their status as Indians or Alaska Natives, whose Indian blood quantum is ¼ degree or more. In the absence of other available facilities, children of non-Indian Bureau personnel or other non-eligibles may be served subject to the provisions of 25 U.S.C. 288 and 289."

12. The final proposed policy dealt with the need for evaluating the implementation of the law and read:

"§ 31a.5 Evaluation of implementation of Pub. L. 95-561."

"The Director, Office of Indian Education Programs will develop guidelines for evaluating all functional and programmatic responsibilities associated with Title XI of the Education Amendments of 1978 (Pub. L. 95-561)."

One concerned commentator felt that good policies might just stay on paper if there were no built-in accountability and proposed rather lengthy language to provide for an affirmative action plan and a report to Congress on implementation progress. The Task Force agreed. The added language is italicized below: "§ 31a.5 Evaluation of implementation of Pub. L. 95-561."

The Director, Office Indian Education Programs, will develop guidelines for evaluating all functional and programmatic responsibilities associated with Title XI of the Education Amendments of 1978 (Pub. L. 95-561), and in the January 1, 1981 report, as provided in Sec. 1136 of Pub. L. 95-561, include a statement of the specific progress toward implementing these policies."

C. Comments Not Adopted

In addition to the comments and revisions already discussed, a number of other suggestions were made with respect to the proposed regulations which the Task Force chose not to incorporate.

1. One commentator felt the Mission Statement should more strongly emphasize the special obligations towards Indians which the United States

has undertaken and recommended adding the following italicized language to § 31a.3:

"Recognizing the special rights of Indian tribes and Alaska Native entities which have arisen from the historical relationships between them and the United States, the special duties and obligations which the United States has assumed toward them and their members and the unique government-to-government relationship of Indian tribes and Alaska Native villages as evidenced by the United States Constitution, United States Supreme Court decisions, treaties, federal statutes, and executive orders . . ." While the Task Force had no real objection to the proposed addition, they decided it would add extra words without really strengthening the statement and opted not to adopt the change.

2. One commentator suggested that in paragraph 32.4(x), Accountability, Evaluation and MIS, the word "statistical" be deleted in reference to the information provided by the management information system since, in fact, not all the information the MIS would provide would be statistical. In consultation with the MIS Task Force, it was decided not to make the change, for although it was technically true, the word "statistical" was being used in a broad sense. Another commentator recommended that the BIA "follow through" on the MIS implementation. We agree.

3. A number of recommendations were made regarding school board composition, voting procedures, etc. We believe these issues will be adequately addressed in the School Board regulations.

4. A Bureau employee requested more specificity on the direction of education programs by education personnel and on how construction policies would be carried out. We believe the implementation procedures do not properly belong in Policies and will be addressed by the Functions Task Force, Bureau manuals, etc. This same issue was raised in regard to accounting procedures, student transfers, facilities for early childhood programs, responsibility for determining what an innovative or exemplary program is, and procedures for Tribal input into decision making. Again, the Task Force on Policies believes that procedural matters need to be treated separately.

5. A BIA school board pointed out a problem with paragraph 31a.4(a)(1), Policy Making; which reads:

"Assure that no new policy shall be established nor any existing policy changed or modified without

consultation with affected Tribes and Alaska Native Government entities."

They believe that requiring . . . "consultation with affected Tribes . . ." could become an excuse for never changing any policies since the procedure would be so tedious. The Task Force acknowledged this as a potential problem if such consultation were carried to an extreme degree, but chose to leave the requirement as written.

6. One commentator wrote that the requirement of paragraph 31a.4(1) pertaining to a program of research should be carried out by Indian researchers. The Task Force did not adopt this change, believing that such a decision should be left to tribes.

7. Two groups requested that language be added throughout the regulations to apply specifically to education of the handicapped, in regard to both programs and facilities. This was considered. However, regulations are currently being written to govern the implementation of P.L. 94-142 in Bureau and tribally contracted schools and are scheduled for publication in September. We have been assured that these will address all the specific concerns of the commentators.

The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

The primary authors of this document were members of Task Force No. 9 which was established to develop the regulations headed by Ms. Elizabeth Holmgren, Office of Indian Education Programs, Washington, D.C. (202) 343-3151 and Ms. Patricia Locke, National Tribal Chairman's Association, Boulder, Colorado, (303) 447-0701.

Subchapter E of Chapter 1 of Title 25 of the Code of Federal Regulations is amended by the addition of a new part to read as follows:

PART 31a—INDIAN EDUCATION POLICIES

Sec.

- 31a.1 Purpose and scope.
- 31a.2 Definitions.
- 31a.3 Mission statement.
- 31a.4 Policies.
- 31a.5 Evaluation of implementation of Pub. L. 95-561.

Authority.—Sec. 1130 and 1133 of Title XI of the Education Amendments of 1978 (92 Stat. 2143, 2321 and 2325, Pub. L. 95-561; 25 U.S.C. 2010 and 2013).

§ 31a.1 Purpose and scope.

The purpose of this Part is to state the policies to be followed by all schools and education programs under the

jurisdiction of the Bureau of Indian Affairs. Contract schools operated by Indian Tribes or Alaska Native entities may develop their independent policies, consistent with contractual obligations, or adhere to these. The adherence to the appropriate policies shall reflect the best interests of the student, the Federal government, the Tribes and Alaska Native entities, and shall be based on educationally sound judgment.

§ 31a.2 Definitions.

As used in this Part, the term:

(a) "Agency School Board" means a body, the members of which are appointed by the school boards of the schools located within such agency, and the number of such members shall be determined by the Director in consultation with the affected Tribes or Alaska Native entities except that, in agencies serving a single school, the school board of such school shall fulfill these duties.

(b) "Alaska Native" means an Indian, Eskimo, or Aleut who is a member of an Alaska Native entity.

(c) "Alaska Native Entity" means any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688; 43 U.S.C. 1601 et seq.).

(d) "Alaska Native Village" means any Native village as defined in section 3(c) of the Alaska Native Claims Settlement Act (85 Stat. 689; 43 U.S.C. 1602 (c)).

(e) "Boarding School", hereinafter referred to as "residential school", means a Bureau school offering residential care and support services as well as an academic program.

(f) "Bureau" means the Bureau of Indian Affairs of the Department of the Interior.

(g) "Consultation" means a conferring process with Tribes, Alaska Native entities, and Tribal organizations on a periodic and systematic basis in which the Bureau and Department officials listen to and give effect, to the extent they can, to the views of these entities.

(h) "Contract School" means a school (other than a public school) which is Tribally operated and aided by a financial assistance contract with the Bureau.

(i) "Day School" means a Bureau school offering an academic program and certain support services such as counseling, food, transportation, etc., but excluding residential care.

(j) "Director" means the Director, Office of Indian Education Programs, Bureau of Indian Affairs.

(k) "Early Childhood Education" means comprehensive education

activities with continuity of educational approach for children ages 0-8 years and their families, appropriate for their age, development, language and culture which supplement and support usual family responsibilities for child growth and development. They are coordinated with, but do not supplant, existing educational, health, nutritional, social and other necessary services.

(l) "Exceptional Education Programs" mean the provision of services to those children who are identified as handicapped and have been found to meet the criteria of handicapped as defined in Pub. L. 94-142, and programs for gifted and talented students.

(m) "Indian" means a member of an Indian Tribe.

(n) "Indian Organization" means any group, association, partnership, corporation, or other legal entity owned or controlled by a federally recognized Indian Tribe or Tribes, or a majority of whose members are members of federally recognized Indian Tribes.

(o) "Indian Tribe" or "Tribe" means any Indian Tribe, band, nation, rancheria, pueblo, colony, or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(p) "Local school board", when used with respect to a Bureau school, means a body chosen in accordance with the laws of the Tribe or Alaska Native entity to be served or, in the absence of such laws, elected by the parents of the Indian children attending the school, except that in schools serving a substantial number of students from different Tribes or Alaska Native entities the members shall be appointed by the governing bodies of the Tribes and entities affected; and, the number of such members shall be determined by the Director in consultation with the affected Tribes and entities.

(q) "Post-Secondary" education means any education program beyond the age of compulsory education, including higher education, career, vocational, and technical.

(r) "Tribal Organization" means an organization composed of or duly representing Tribal governments which may be national or regional in scope and function.

§ 31a.3 Mission statement.

Recognizing the special rights of Indian Tribes and Alaska Native entities and the unique government-to-government relationship of Indian Tribes and Alaska Native villages with the Federal Government as affirmed by the United States Constitution, United States Supreme Court decisions,

treaties, Federal statutes, and Executive Orders, and as set out in the Congressional declaration in sections 2 and 3 of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638; 88 Stat. 2203; 25 U.S.C. 450 and 450a), it is the responsibility and goal of the Federal government to provide comprehensive education programs and services for Indians and Alaska Natives. As acknowledged in section 5 of the Indian Child Welfare Act of 1978 (Pub. L. 95-608; 92 Stat. 3069; 25 U.S.C. 1901), in the Federal Government's protection and preservation of Indian Tribes and Alaska Native villages and their resources, there is no resource more vital to such Tribes and villages than their young people and the Federal Government has a direct interest, as trustee, in protecting Indian and Alaska Native children, including their education. The mission of the Bureau of Indian Affairs, Office of Indian Education Programs, is to provide quality education opportunities from early childhood through life in accordance with the Tribes' needs for cultural and economic well-being in keeping with the wide diversity of Indian Tribes and Alaska Native villages as distinct cultural and governmental entities. The Bureau shall manifest consideration of the whole person, taking into account the spiritual, mental, physical and cultural aspects of the person within family and Tribal or Alaska Native village contexts.

§ 31a.4 Policies.

In carrying out its Education mission, the Assistant Secretary for Indian Affairs through the Director shall:

(a) *Policy making.* (1) Assure that no new policy shall be established nor any existing policy changed or modified without consultation with affected Tribes and Alaska Native Government entities.

(2) Be guided in policy formulation and funding priorities, including the proposing and awarding of contracts and grants, by periodic and systematic consultation with governing bodies of Tribes and Alaska Native entities.

(3) Ensure that Indian Tribes and Alaska Native entities fully exercise self-determination and control in planning, priority-setting, development, management, operation, staffing and evaluation in all aspects of the education process.

(4) Ensure that each agency or local school board shall be authorized and empowered to function as the policy making body for the school, consistent with the authority granted by the tribes or Alaska Native entity(ies) served by the school(s).

(b) *Student rights.* Ensure the constitutional, statutory, civil and human rights of all Indian and Alaska Native students, and respect the role of Tribal judicial systems where appropriate including, for example, ensuring that students have the right to be free from cruel and unusual punishment and that all disciplinary procedures shall be consistent with appropriate customs and practices of the appropriate Indian Tribe or Alaska Native village.

(c) *Equity funding.* Assure that resources for all education programs are equitably distributed for the benefit of all Indian and Alaska Native students, taking into account special educational needs where they exist, as further described in Part 31h of this Subchapter.

(d) *Direction of programs.* Ensure that the education function be structured in such a manner that all matters relating to the operation of education programs be administered by or be under the direction of education personnel.

(e) *Respect for family.* Promote, respect and defend the cohesiveness and integrity of the family, and Tribal and Alaska Native community, as they relate to the educational and social prerogatives of the Tribes and Alaska Native entities.

(f) *Religious freedom.* Promote and respect the right to cultural practices and religious freedom for all students, consistent with Tribal and Alaska Native entities' wishes and with the provisions of the American Indian Religious Freedom Act (92 Stat. 469; Pub. L. 95-341; 42 U.S.C. 1996)

(g) *Tribal rights regarding governing bodies and planning.*

(1) Develop in consultation with Tribes and Alaska Native entities a plan to include their direct involvement in short and long-range planning of Bureau operated post-secondary schools through the formation of policy making governing boards.

(2) Encourage and defend the right of the Tribes and Alaska Native entities to govern their own internal affairs in all matters relating to education, and their right to determine the equitable and appropriate composition of governing boards at Bureau off-reservation and post-secondary schools.

(h) *Multilingual education.* Provide for a comprehensive multicultural and multilingual educational program including the production and use of instructional materials, culturally appropriate methodologies and teaching and learning strategies that will reinforce, preserve and maintain Indian and Alaska Native languages, cultures, and histories which school boards,

Tribes and Alaska Native entities may utilize at their discretion.

(i) *Choice of school.* Afford Indian and Alaska Native students the opportunity to attend local day schools and other schools of choice and the option to attend boarding schools when the student and parent or guardian determine it is in the student's best interest and consistent with the provisions of the Indian Child Welfare Act of 1978 (Pub. L. 95-608) except that, residential schools shall not be used as substitutes for providing adequate local family social services. Each school shall establish its attendance area in cooperation with neighboring schools.

(j) *Tribal education plans.* Assist Tribes and Alaska Native entities at their request in the development of Departments of Education, education codes, and comprehensive education plans.

(k) *Advocacy and coordination.* (1) Serve as an advocate for Indian Tribes and Alaska Native entities in education matters before the Federal, State and local governments.

(2) Assume an assertive role in coordinating comprehensive support for Indian and Alaska Native students internally and from other agencies in education, mental and physical health, juvenile justice, job training, including apprenticeship programs and other related Federal, State and local programs and services.

(3) Serve as an advocate and carry out responsibilities for Indian and Alaska Native students in public and other non-Bureau operated schools consistent with the wishes of the appropriate Indian Tribes and Alaska Native entities, particularly in regard to Impact Aid (Pub. L. 81-874), Johnson-O'Malley, and all Elementary and Secondary Education Act programs.

(l) *Student assessment.* Establish and maintain a program of research and development to provide accurate and culturally specific assessment instruments to measure student performance in cooperation with Tribes and Alaska Native entities.

(m) *Recruitment of Indians.* Adopt procedures to insure that qualified Indian and Alaska Native educators are recruited for positions appropriate to their cultural background and qualifications.

(n) *Priorities in contracts and grants.* Provide financial support through contracts, grants or other funding mechanisms with first priority given to the Tribes and Alaska Native entities, Tribal organizations, Tribally controlled community colleges, and Indian or Alaska Native professional or technical assistance organizations which have the

sanction of the benefitting Tribes and Alaska Native entities.

(o) *Community school concept.* Promote the community school concept by encouraging year around multi-use of educational facilities, equipment and services for Tribal, Alaska Native village, and community development.

(p) *Education close to home.* Provide day and residential educational services as close to an Indian or Alaska Native student's home as possible, except when a student elects to attend a school elsewhere for specialized curricular offerings or services.

(q) *Tribal notification and involvement and program flexibility.* (1) Notify Indian Tribes and Alaska Native entities of proposed, pending or final Federal legislation, appropriations, Solicitor's and Attorney General's opinions and court decisions affecting Indian and Alaska Native education for the purposes of information and consultation, providing them ready access at the local level to all evaluations, data records, reports and other relevant information, consistent with the provisions of the Privacy and Freedom of Information Acts.

(2) Implement rules, regulations, procedures, practices, and standards to insure flexibility in the exercise of local Tribal or Alaska Native village options, and provide for input in periodic reviews, evaluations, and revisions to meet changing needs and circumstances.

(r) *Career and Higher Education.* (1) Ensure to the extent possible that all students who choose to pursue career and post-secondary education, including but not limited to, undergraduate and graduate programs, or preparation for skilled trades, receive adequate academic or other preparation, at the schools of their choice, assuring that students are provided adequate support services to enable them to meet their educational goals.

(2) Extend to Tribes and Alaska Native entities the prerogative of determining those critical professions and fields of study in post-secondary education which are of the highest priority to meet their economic and cultural goals.

(s) *Planning, maintenance and use of facilities.* (1) Ensure that the needs of the students and Tribal or Alaska Native community will receive first priority in the planning, design, construction, operation and maintenance of Bureau schools and residential facilities, rather than other considerations, such as ease of maintenance, and that these facilities assure a supportive environment for learning, living and recreation.

(2) Maintain all school and residential facilities to meet appropriate Tribal, State or Federal safety, health and child care standards. If a conflict exists in these standards, the Federal standard shall be followed; in the absence of a Federal standard, the Tribal standard shall be followed. In case of conflict, any such Tribal health or safety standards shall be no greater than any otherwise applicable State standard.

(t) *Alternative, innovative and exemplary programs.* Vigorously encourage and support alternative, innovative and exemplary programs reflecting Tribal or Alaska Native village specific learning styles, including but not limited to, parent-based early childhood education programs, adult and vocational technical education, library and media services, special education including programs for handicapped, gifted and talented students, summer programs, and career development.

(u) *Training.* Provide support and technical assistance at all levels for the training of duly sanctioned Tribal and Alaska Native education representatives involved in educational decisionmaking, including pre-service and in-service training for educators.

(v) *Tribally controlled community colleges.* Assist Tribes and Alaska Natives in their planning, designing, construction, operation and maintenance of Tribally controlled community colleges, consistent with all appropriate legislation. (See Part 33 of this Subchapter.)

(w) *Equal opportunity.* Establish and enforce policies and practices to guarantee equal opportunity and open access to all Indian and Alaska Native students in all matters relating to their education programs consistent with the provisions of the Privacy and Freedom of Information Acts.

(x) *Accountability, evaluation of MIS.* (1) Enforce a strict standard of fiscal, programmatic and contract accountability to the Tribes and Alaska Native entities and assist them in the development of their own standards of accountability and carry out annual evaluations of all Bureau-operated or funded education programs.

(2) Provide and make available a computerized management information system which will provide statistical information such as, but not limited to, student enrollment, curriculum, staff, facilities, student assessments and related educational information.

(y) *Accreditation.* (1) Encourage and assist all Bureau and contract schools to attain appropriate State, regional, Tribal or national accreditation.

(2) Assist and promote the establishment of Indian regional and/or national accrediting associations for all levels of Indian Education.

(z) *Eligibility for services.* Serve Indian and Alaska Native students who are recognized by the Secretary of the Interior as eligible for Federal services, because of their status as Indians or Alaska Natives, whose Indian blood quantum is $\frac{1}{4}$ degree or more. In the absence of other available facilities, children of non-Indian Bureau personnel or other non-eligibles may be served subject to the provisions of 25 U.S.C. 288 and 289.

(aa) *Appropriations.* Aggressively seek sufficient appropriations to carry out all policies herein established subject to the president's budget and the Department's budgetary process.

§ 31a.5 Evaluation of Implementation of Pub. L. 95-561.

The Director, Office Indian Education Programs will develop guidelines for evaluating all functional and programmatic responsibilities associated with Title XI of the Education Amendments of 1978 (Pub. L. 95-561), and in the January 1, 1981 annual report, as provided in section 1136, of Pub. L. 95-561 include a statement of the specific program toward implementing these policies.

Rick C. Lavis,
Deputy Assistant Secretary, Indian Affairs.
[FR Doc. 79-31066 Filed 10-5-79; 8:45 am]
BILLING CODE 4310-02-M

25 CFR Part 31b

Transfer of Indian Education Functions

October 2, 1979.

AGENCY: Bureau of Indian Affairs, Department of the Interior.

ACTION: Final rule.

SUMMARY: Beginning on page 29834 of the May 22, 1979, Federal Register (44 FR 29834), there was published a notice of proposed rulemaking to add a new Part 31b to Chapter 1, Subchapter E, of Title 25 of the Code of Regulations. Part 31b, Transfer of Indian Education Functions, changes the line authority for the administration of the education program and functions of the Bureau of Indian Affairs and prescribes regulations to be followed in transferring control over Agency and Area education functions from the Commissioner of Indian Affairs to the Director, Office of Indian Education Programs and his/her subordinates. These changes are required by sections 1126 and 1127 of

the Education Amendments of 1978 (Pub. L. 95-561; 25 U.S.C. 2006).

EFFECTIVE DATE: November 8, 1979.

FOR FURTHER INFORMATION CONTACT: Rick C. Lavis, Deputy Assistant Secretary, Department of the Interior, 18th and C Streets, NW., Washington, D.C. 20240, (202) 343-7163.

SUPPLEMENTARY INFORMATION: The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9) and redelegated to the Assistant Secretary for Indian Affairs by 209 DM 8.

On May 22, 1979, the Bureau of Indian Affairs published a proposed rule on the Transfer of Indian Education Functions from the control of the Commissioner of Indian Affairs to the Director, Office of Indian Education Programs with further redelegations to the Area Education Directors, to the Agency Superintendents for Education, or Presidents of a Bureau of Indian Affairs post-secondary institution. The public was invited to offer comments on the proposed rule document on or before June 21, 1979. Numerous public comments were received. Each of the comments was carefully reviewed and evaluated by Task Force No. 4, constituted by the Assistant Secretary—Indian Affairs to oversee the preparation of these regulations. The comments were then categorized and either adopted or not adopted according to the evaluation made by the Task Force.

A. Comments Adopted

1. In the Table of Contents for Part 31b, § 31b.5 was changed from "Area Education Program Functions" to read "Area Education Functions". Section 31b.6 was also changed from "Agency Education Programs Functions" to read "Agency Education Functions". These changes were made to clarify the content areas involved.

2. "Early Childhood" definition in § 31b.1 paragraph (b) is changed to read "0 to 5 years old" so that Kindergarten is included within the designation of early childhood education.

3. The term "Kindergarten" is moved from § 31b.1 paragraph (c) to § 31b.1(b) as Kindergarten is widely accepted as early childhood education.

4. The definition of "Post-Secondary" in § 31b.1 paragraph (f) is re-defined to include all programs provided for persons past the age for compulsory education.

5. "Adult Education" as previously defined in § 31b.1 paragraph (d) is eliminated from the proposed

regulations and included in the definition for "Post-Secondary" in § 31b.1 paragraph (f).

6. The term "Agency" is added to the definitions under § 31b.1 paragraph (a) to clarify its use in the body of the regulation Part.

7. The phrase "Personnel Directly and Substantially Involved in Education" is defined in Section 31b.1 paragraph (e) to provide clarity for its use in the Regulation.

8. The term "Operating Level", as used in the proposed regulation, appeared to be too vague to many readers. Therefore, "Operating Level" is defined in § 31b.1(d) to clarify its meaning further.

9. In § 31b.2 paragraph (d) the word "directly" is removed. This deletion provides the Director the flexibility consistent with his/her authority to re-delegate functions to appropriate levels of administration and control.

10. Section 31b.2 paragraph (c) is amended to specify the kinds of services to be provided and their recipients.

11. Section 31b.2 paragraph (e) is revised to substitute the word "include" in place of "be limited" to clarify the text. Also, the modifying word "education" is inserted before "contract operations" to clarify the procurement service more exactly. And, the final sentence is deleted from "The . . . Manual," as it is considered irrelevant to the context of the paragraph on Area Office functions. The substance of the deleted sentence is included in § 31b.2 paragraph (d) as a function of the Director, Office of Indian Education Programs.

12. The heading of § 31b.5 is changed to read "Area Education Functions".

13. Section 31b.5 is amended by adding the word "Education" prior to "Contract operations" to be more specific in the language.

14. The heading § 31b.6 is changed to read "Agency Education Functions".

15. Additional clarifying language is added to § 31b.6 to ensure that those functions described as Area responsibilities and currently operated at the Agency level shall continue to provide educational services at the Agency level. Section 31b.6 is further extended by adding "25 CFR Part 31a" after the term "Exceptional Education Programs."

16. Section 31b.7 paragraph (b)(1)(iii) is rewritten to eliminate vagueness in the final regulations with regards to the Education Office Director. Section 31b.7 paragraph (b)(1) is also modified to include BIA post-secondary institutional personnel.

17. Section 31b.7 paragraph (b)(2)(i) is deleted from its present placement and

placed under § 31b.7 paragraph (a) as addition (3) with the same text. Modification and change in this section places authority to effect coordination of support services at the proper level in the Assistant Secretary's Office.

18. Section 31b.9 is amended to substitute the phrase "prepare and promulgate" in place of "draft" where the latter word first appears. This change was made to define more strongly the role and responsibility of the Education Office Director under this part. Also, the word "prepared" is substituted for "drafted" in the section for the same reason.

B. Comments Not Adopted

1. One commenter felt contracted education programs should continue to be a part of the trust functions of the BIA. The Bureau feels the regulations do not alter the BIA trust function responsibility.

2. Several comments were received expressing a desire for tribal review and approval of changes. This tribal concern is addressed in § 31a.4 of Part 31a of this Subchapter.

3. Some of the comments received regarding changes in definitions were not considered due to lack of clarity in the proposed language changes, and due to lack of justification. The Bureau feels that all unchanged definitions are necessary and are clearly written.

4. One commentator asked for a clarification of the relationship of Assistant Area Directors for Education to Area Office Directors. The Bureau describes this relationship in § 31b.2(d).

5. Two commentators requested further delineation and clarification of the functions of the Agency Superintendent for education. The Bureau feels the Superintendent's function is adequately defined in §§ 31b.2(c), and 31b.7(b)(1)(ii) and §§ 31b.4 and 31b.6. More detailed delineation of the role of the Agency Superintendent for education will be provided in the Bureau of Indian Affairs Manual (BIAM).

6. Several comments were received regarding the need to describe the function of the Office of Indian Education Programs. It is the Bureau's position that this function is currently described in §§ 31b.7(2)(b), 31b.2(b,c&d), and §§ 31b.4 and 31b.9.

7. One commentator feels the wording in Section 31b.2 needs to be more understandable. The Bureau feels this Section is clear, as written. The same commentator requested more specific language regarding the supervision of program operations. This request was not considered on the basis that this type of detail will be provided in the

Bureau of Indian Affairs Manual (BIAM).

8. There were several comments suggesting Area and Agency offices be given sufficient flexibility to develop innovative programs for Indian children. The Bureau provides for this flexibility as described in § 31a.4 paragraph (t) of Part 31a and § 31b.4 of this Part.

9. One commentator recommended that Special Education responsibilities be assigned either to an Area or Agency office and that administrative responsibilities for these programs be specified in the Bureau of Indian Affairs Manual. The Bureau disagrees with these comments on the basis that redelegation of education program responsibilities, including Special Education, is already permitted in the regulations. Sections 31b.2, 31b.5, and 31b.6 require the Department of the Interior to provide full educational services to the handicapped in accordance with Pub. L. 94-142.

10. One commentator expressed a conflict in language between § 31h.54 paragraph (b) and § 31b.2 paragraph (e) as they relate to contract operations. The Bureau does not feel these paragraphs are in conflict since § 31h.54 paragraph (b) refers specifically to the appointment of entitlement and not to contracts in general.

11. A comment requested the Assistant Secretary—Indian Affairs delegate functions to other than the Director of Indian Education Programs. This comment was rejected since it is contrary to the language in Pub. L. 95-561.

12. Several comments were received concerning the retention of the Area Education Office as proposed in the regulations under § 31b.5. Comments ranged from elimination of the Area function to complete agreement with the function as proposed. More comments were received favoring the retention of the Area Office. No action is taken by the Bureau to eliminate the Area Office function, since this is a management prerogative of the Bureau of Indian Affairs.

13. One commentator wanted the function of the Area Office to include the authority to supervise, monitor, and evaluate Agency education offices and school programs. The Bureau feels that the flexibility to consider this language is provided in the proposed regulations. Therefore, the specific language proposed by this commentator was not considered.

14. One commentator recommended that Higher Education, Adult Education, and Johnson-O'Malley for contracted schools be delegated to the Agency level. The Bureau has delegated the responsibility

of those functions to the Area level primarily for those Agencies lacking adequate education personnel. Those Agencies currently administering those programs will continue to operate. Further, the Director, Office of Indian Education Programs, under § 31b.7(b) shall review periodically Area Office education activities to determine when appropriate redelegation of Higher Education, Adult Education, and/or Johnson-O'Malley program administration can be made to the Agency level.

15. One commentor recommended that the Area and Agency Offices be given the flexibility to develop innovative vocational, special and bilingual programs for Indian children. The Bureau feels that this particular recommendation is addressed in § 31a.4.

16. The Navajo Area Office recommended that the Bureau establish and implement direct line authority which will parallel the established Navajo Tribal line authority; that line of authority being from the Director, Office of Indian Education Programs to the Assistant Director of Education, Navajo Area Office to the five Agency School Superintendents. The Bureau feels that this is adequately addressed under § 31b.7.

17. One commentor proposed that § 31b.5 be amended to include the responsibility for assuring that schools meet accreditation standards. The Bureau feels that § 31b.7(b)(ii) adequately addresses this concern.

18. One commentor recommended that the regulations for § 31b.6 be reworded so as to delineate specific responsibility of the Agency to the schools. The commentator felt that there was a need to separate the Agency and schools responsibility for personnel and for programs. The Bureau believes that § 31b.7 accomplishes this, and will be further supplemented by the Bureau of Indian Affairs Manual (BIAM).

19. Navajo Area Office recommended that peripheral dormitory operations should be deleted from the Agencies and included under Area Education functions. The Bureau feels that § 31b.6, as rewritten, adequately addresses this issue.

20. One commentator recommended that the functions of the Office of Indian Education Programs be defined. It is the opinion of the Bureau that the functions of the Office are clearly defined in § 31b.7(b).

21. Comments were received addressing the issue of direct control from the Office of Indian Education Programs to individual school's local school boards. These comments reflected the opinion that Area and

Agency Offices should have technical assistance functions only. The Bureau feels that these recommendations would only broaden an already extended span of control.

22. One commentor expressed the concern that the Navajo Area Food Service is the only service that serves more than one area. The Bureau feels that this concern is addressed under § 31b.5.

23. One commentor recommended that the words "serving more than one Agency" should be included following "where no education personnel are assigned, contract operations." The Bureau rejects this additional language as those words are already included following "contract operations, and those education programs. . ."

24. One commentor suggested that a phrase be added specifying that the implementing procedures be completed at the earliest practicable time and in no event later than six months from the issuance of these rules. The Bureau had included that language in the original proposed rules; such language was subsequently stricken as being too restrictive.

25. One comment was received suggesting that the personnel function be under the Director, Office of Indian Education Programs. This comment was not considered as personnel is a support service to the entire Bureau operation. The provision of support services for education is described in § 31b.7(a)(3), and § 31b.9.

The Department of Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14. The primary authors of this document are Richard Whitesell and Suzy Erlich, Co-Chairpersons, Pub. L. 95-561 Implementation Task Force No. 4 (406) 676-4700—Whitesell or (202) 638-2287—Erlich.

Subchapter E of Chapter 1, Title 25 of the Code of Federal Regulations is amended by the addition of a new part to read as follows:

PART 31b—TRANSFER OF INDIAN EDUCATION FUNCTIONS

Sec.

- 31b.1 Definitions.
- 31b.2 Policy.
- 31b.3 Delegation of authority.
- 31b.4 Redelegation of authority.
- 31b.5 Area Education functions.
- 31b.6 Agency Education functions.
- 31b.7 Implementing procedures.
- 31b.8 Realignment of Area and Agency Offices.
- 31b.9 Development of procedures.
- 31b.10 Issuance of procedures.

Authority: Sec. 1126 Pub. L. 95-561, Education Amendments of 1976 (92 Stat. 2143, 2391; 25 U.S.C. 2006).

§31b.1 Definitions

(a) "Agency" means that organizational unit of the Bureau which provides direct services to the governing body or bodies and members of one or more specified Indian Tribes.

(b) "Early Childhood" means education activities serving the 0 to 8 year old child, including pre-natal, child care, kindergarten, homebase, homebound, and special education programs.

(c) "Elementary and Secondary Education" means those programs serving the child from grade one through grade twelve.

(d) "Operating Level" means the organizational level at which direct educational services are performed.

(e) "Personnel Directly and Substantially Involved" means those persons who provide services which affect the operation of Indian education programs, including (but not limited to) school or institution custodial or maintenance personnel, and whose services for Indian education programs require the expenditure of at least 51 percent of the employee's working time.

(f) "Post-Secondary" means education programs that are provided for persons past the age for compulsory education to include continuing education, higher education, undergraduate and graduate, career and adult education. As used in this Act, the term Post-Secondary shall include those Bureau of Indian Affairs programs operated at Southwestern Indian Polytechnic Institute, the Institute of American Indian Arts, and Haskell Indian Junior College, and those operated at Tribally controlled community colleges under Pub. L. 95-471.

§ 31b.2 Policy.

It is the policy of the Department of the Interior that:

(a) Indian control of Indian affairs in all matters relating to education shall be facilitated.

(b) Authority to perform education functions shall be delegated directly from the Assistant Secretary—Indian Affairs to the Director, Office of Indian Education Programs.

(c) Administrative authority shall be compatible with program authorities; and, both shall be delegated to the operating level to assure efficient and effective delivery of education services to Indian children, youth, and adults.

(d) The Director, Office of Indian Education Programs shall supervise the operation of Indian education program

personnel at the Arena, Agency, and the three Bureau of Indian Affairs post-secondary institutions.

(e) Indian Education program functions to be performed at the Area office level shall include those dealing with higher education, Johnson-O'Malley aid to non-Bureau schools, off-reservation boarding schools, those education program operations serving tribes from more than one Agency except those at the three post-secondary institutions, on-reservation education functions located at an Agency where no educational personnel are assigned, education contract operations, and adult education.

§ 31b.3 Delegation of authority.

The administrative and programmatic authorities of the Assistant Secretary—Indian Affairs pertaining to Indian education functions shall not be delegated to other than the Director, Office of Indian Education Programs. The Assistant Secretary shall publish delegations of authorities to the Director in the Bureau of Indian Affairs Manual after the effective date of these regulations.

§ 31b.4 Redellegation of authority.

The authorities of the Assistant Secretary—Indian Affairs as delegated to the Director, Office of Indian Education Programs may be redelegated by the Director to a Bureau of Indian Affairs Agency Superintendent for Education, to a Bureau Area Education Programs Director, or to a President of a Bureau of Indian Affairs post-secondary education institution.

§ 31b.5 Area education functions.

A Bureau Area Education Programs Director shall perform those Bureau of Indian Affairs education functions related to Johnson-O'Malley aid to non-Bureau schools, higher education, Bureau peripheral dormitories, adult education, off-reservation residential schools, on-reservation functions located at an Agency where no education personnel are assigned, education contract operations, and those education program operations serving Tribes from more than one Agency, except those of the Bureau's post-secondary institutions.

§ 31b.6 Agency education functions.

A Bureau Agency Superintendent for Education shall perform those education functions related to elementary and secondary education, early childhood education, peripheral dormitories which have been supervised prior to Pub. L. 95-581, and exceptional education programs as defined in 25 CFR Part 31a.

This Section shall not be construed to remove higher education, adult education and/or Johnson-O'Malley programs currently administered at the Agency level. Further, the Director under the authority of § 31b.4 will periodically review Area programs such as higher education, adult education, and Johnson-O'Malley for consideration to assign to Agency level administration.

§ 31b.7 Implementing procedures.

(a) The Assistant Secretary—Indian Affairs shall:

(1) Implement the transfer for Indian education functions from the jurisdiction of Agency Superintendents and Area Office Directors to the Director, Office of Indian Education Programs.

(2) Modify existing descriptions of positions for Area Office Directors, Agency Superintendents, and all other personnel directly and substantially involved with the provisions of education services by the Bureau of Indian Affairs.

(b) The Director, Office of Indian Education Programs shall:

(1) For Area, Agency, and Bureau of Indian Affairs postsecondary institutional personnel:

(i) Properly list the duties of each employee required to perform functions redelegated by the Director;

(ii) Define the responsibilities for monitoring and evaluating education programs; and

(iii) Exercise supervision of these employees.

(3) Define responsibilities for employees providing technical and coordinating assistance for support services to the Director, Office of Indian Education Programs and his/her subordinates, including procurement, contracting, personnel, and other administrative support areas.

§ 31b.8 Reassignment of area and agency offices.

The Assistant Secretary—Indian Affairs shall implement Bureau of Indian Affairs Area Office and Agency Office reorganizations required to structure these offices consistent with education program activities to be undertaken at those levels.

§ 31b.9 Development of procedures.

The Director, Office of Indian Education Programs shall prepare and promulgate procedures to govern the provision of support services by the Bureau of Indian Affairs for the education function. These procedures shall be consistent with existing laws, regulations, Executive Orders, and Departmental policies governing administrative support services. These

provisions shall be prepared in consultation with those personnel within the Bureau of Indian Affairs who are responsible to the Commissioner of Indian Affairs for providing support services.

§ 31b.10 Issuance of procedures.

The Assistant Secretary—Indian Affairs, directly or through the Commissioner of Indian Affairs, shall issue procedures in the Bureau of Indian Affairs Manual governing the provision of support services to the Bureau's Education Office function.

Rick C. Lavis,

Assistant Secretary—Indian Affairs.

[FR Doc. 79-31087 Filed 10-5-79; G-45]

BILLING CODE 4310-02-11

Tuesday
October 9, 1979

Part VI

**Department of the
Interior**

Bureau of Land Management

**Federal Land Policy and Management
Act; Management of Rights-of-Way and
Related Facilities on Public Lands and
Reimbursement of Costs**

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2800

Federal Land Policy and Management Act; Management of Rights-of-Way and Related Facilities on Public Lands and Reimbursement of Costs

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rulemaking.

SUMMARY: This proposed rulemaking establishes procedures for the management of all rights-of-way on public lands except for: oil, natural gas and petroleum product pipelines; Federal Aid Highways; cost-share roads; and access to mining claims. Title V of the Federal Land Policy and Management Act of 1976 gives the management responsibility for these rights-of-way to the Secretary of the Interior.

DATE: Comments by January 7, 1980.

ADDRESS: Send comments to: Director (650), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240. Comments will be available for public review in Room 5555 at the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Robert C. Bruce, 202-343-8735, or Bob Mollohan, 202-343-5537.

SUPPLEMENTARY INFORMATION: The principal author of this rulemaking is Robert E. Mollohan, Division of Rights-of-way and Project Review of the Bureau of Land Management, assisted by the Division of Legislation and Regulatory Management, Bureau of Land Management, and the Office of the Solicitor, Department of the Interior.

The Bureau of Land Management, in a coordinated joint effort with the Forest Service, invited public participation in developing regulations under title V of the Federal Land Policy and Management Act of 1976 by issuing a preproposed outline of procedures for granting rights-of-way on November 14, 1977, which invited written comments. Four public meetings were also held to obtain public input.

Title V of the Federal Land Policy and Management Act replaces most of the Bureau of Land Management's previous authority for granting rights-of-way, and provides broad discretionary power to the agency in developing current policies and procedures for carrying out that authority. This proposed rulemaking varies significantly from the

previous regulations in that title V of the Federal Land Policy and Management Act combined and condensed various separate Acts dealing with specific types of rights-of-way. This combining promotes uniform right-of-way provisions for the majority of public and private users. In addition, title V of the Federal Land Policy and Management Act made its statutory provisions applicable to both the Bureau of Land Management and the Forest Service, encouraging the two agencies to jointly develop a common system for granting rights-of-way.

Joint agency staff teams developed an outline of suggested common right-of-way grant procedures. The outline was distributed on November 14, 1977, to user groups, States and other involved governmental agencies, and interested public and private groups. The Bureau of Land Management and the Forest Service recognize the efforts and appreciate the thoughtful comments of the many participants in this joint rulemaking process. This proposed rulemaking is addressed only to public lands administered by the Bureau of Land Management. The Forest Service has developed a separate, but similar set of regulations that apply to lands in the National Forest System.

The Bureau of Land Management, in addressing these comments, found it impractical to respond to each separate comment and instead, has addressed the more repetitive and significant comments as follows:

Comment: Several industry groups urged the development of separate regulations designed specifically for their particular needs.

Response: The Federal Land Policy and Management Act mandates that right-of-way grants be authorized on the basis of the needs and circumstances peculiar to each right-of-way, including location, ground to be occupied, duration and terms and conditions. If separate regulations were developed for different industry groups, the specific needs of each grant might not be complied with, but narrowly limited. To be fully satisfactory, the right-of-way granted would have to be adequate for the most demanding circumstance that might occur, and specialized regulations would defeat this purpose.

Separate regulations for classes of industries, rights-of-way or uses according to size are infeasible and would be arbitrary in terms of application requirements. The initial Outline of Proposed Procedures illustrated this problem. It mentioned all of the possible disclosure requirements that might be necessary under any circumstance. The comments requested

less stringent requirements be implemented in the regulations.

In the past, Bureau of Land Management right-of-way regulations were highly detailed and contained much procedural guidance, mandatory terms, widths and durations. This was necessary to accommodate the many specific authorities that the Federal Land Policy and Management Act repealed. Because the Act is a broad, general authority, we have been able to substantially shorten and simplify the regulations. Where necessary, additional guidance will be provided to the field in the Bureau Manual. Manuals are written in relatively broad terms for systemwide guidance but are frequently supplemented at the State Offices to achieve consistency along with appropriate adaptation to local conditions.

The rulemaking also encourages applicants to contact local Bureau of Land Management Offices prior to applying for instructions and guidance.

Comment: Several States and the Federal Highway Administration pointed out that the Federal Land Policy and Management Act did not preclude grants for highway purposes under sections 107 and 317 of title 23 of the United States Code. They added that the grants made by the Department of Transportation under title 23 have satisfied their needs on national forest lands.

Response: The Forest Service plans to continue its current practice of consenting to appropriation of highway rights-of-way by the Federal Highway Administration. The Bureau of Land Management will continue to use its existing regulations (43 CFR 2821) at this time and will review the Forest Service approach for Federal Aid Highways.

Comment: Owners of private lands intermingled with public lands wanted a perpetual easement across public lands appurtenant to the private lands served.

Several cited situations where local statutes require permanent access prior to allowing subdivisions of private land. Others cited the need for permanent access to obtain mortgage loans.

Response: Access rights-of-way across public land to reach intermingled private lands posed a substantial problem for the authors of the regulations. While several objectives can be stated, specific details will have to be developed in the cost-share and reciprocal right-of-way regulations that will follow. The cost-share and reciprocal right-of-way programs are in effect where intermingled private lands are managed for long-term timber production primarily in the Pacific Northwest. However, intermingled

private lands, some with subdivision potential, occur in all the western States. For these lands, effective coordination with local governments is imperative before granting significant access rights-of-way. Local planning and zoning, the opportunities for inclusion in the county road system and provisions that guarantee effective, long-term road maintenance must be analyzed thoroughly before making a long-term or perpetual commitment of public lands. Access roads to individual private land owners is a new authority for the Bureau of Land Management.

Nothing in this proposed rulemaking serves to prevent matching the applicant's needs with public land management objectives and the public interest to the extent possible under the Act.

Comment: The mining industry requested clarification of whether authorizations for roads and other access facilities to mining claims would be covered in the proposed rulemaking.

Response: The right of ingress and egress for access roads and other facilities to mining claims is authorized by the Mining Law of 1872. Language differences between the Forest Service Organic Act of 1897 and the Federal Land Policy and Management Act necessitate different provisions in the Bureau of Land Management and Forest Service regulations.

Parties exercising rights of ingress and egress on lands in the National Forest System must, in accordance with the Act of June 4, 1897, "... comply with the rules and regulations covering such national forests." The Forest Service will continue its present procedure of approving the miner's operating plan and granting rights-of-way under the Federal Land Policy and Management Act for access structures (roads, trams, etc.) to be constructed off the mining claim.

The Bureau of Land Management's authority in this area rests in section 302(b) of the Federal Land Policy and Management Act. It states, "In managing the public lands the Secretary shall, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradation of the lands." Access facilities to unpatented mining claims will be authorized under the new surface management regulations (43 CFR Subpart 3809) requiring an approved mining plan, to regulate mining activities which are being developed.

Comment: Several electric utilities objected to issuance of rights-of-way by the Bureau of Land Management as well as a license from the Federal Energy Regulatory Commission for elements of the same hydroelectric project.

Response: Section 510 of the Federal Land Policy and Management Act mandates that hereafter no right-of-way for the purposes listed shall be granted across public lands except under the provisions of title V. Only two exceptions are made, the Act of October 13, 1964, and sections 107 and 317 of the 1958 Highway Act. Section 511 requires that applicants seeking a license, certificate or other authority from another agency which involves a right-of-way over, upon, under or through public lands must simultaneously apply to the Secretary of the Interior for the appropriate authority to use public lands and submit to the Secretary all information furnished to the other Federal department or agency.

The regulatory authorities and responsibilities of the Federal Energy Regulatory Commission are specifically preserved in section 501(a)(4) of the Federal Land Policy and Management Act. The Act specifically includes "systems for generation, transmission and distribution of electric energy" under its authority but additionally requires "... that the applicant shall also comply with all applicable requirements of the Federal Power Commission (now FERC) under the Federal Power Act of 1935 (16 U.S.C. 791). Duplication of requirements is minimized to the extent possible in the proposed rulemaking, e.g., land rentals shall not be duplicated.

Comment: The bulk of the comments expressed a desire that decisionmaking authority be at the local level, where practical. On the other hand, comments indicated concern that broad discretionary authority could be abused by individual line officers, resulting in unreasonable interpretation of criteria and a wide variation of decisions. Some comments suggested local expertise and on-the-ground knowledge were necessary; others suggested higher level management review of decisions to assure adequate expertise and consistency.

Response: The proposed rulemaking recognizes the need for both local expertise and uniform decisions. Uniformity could be obtained by extremely detailed regulations designed to cover all contingencies. However, this would eliminate flexibility needed to respond to specific circumstances. The proposed rulemaking establishes a basic process which will be supplemented with suitable guidance through Manuals and training at the local level. Local level officials are trained to achieve efficiency and consistency in right-of-way authorizations. Opportunities for abuse of discretion are limited. Even

within this framework, the authorized officer has discretion within his decisionmaking to allow flexibility for case-by-case analysis. When conflicts arise, the proposed rulemaking provides that appeals may be taken to the Interior Board of Land Appeals.

Comment: A vast number of comments requested a faster, more streamlined process, particularly for small projects with little environmental impact.

Response: In order to expedite the application process, we have encouraged proponents to utilize pre-application consultations with local Bureau of Land Management officials to enable the applicant and agency personnel to understand each other's needs and discuss information required for processing an application. Application processing can be scheduled during initial contacts and data gathering and planning can be streamlined by avoiding the gathering of unnecessary information. A tentative schedule based on applicant needs, workload, environmental sensitivity of the public lands involved and adjacent lands, project complexity and the quality of inventories and land use plans will serve to avoid agency delays and unattainable expectations by applicants. Also, since the proposed rulemaking provides a basic process which may be supplemented, the action on a project can be tailored to its particular needs and circumstances.

Comment: Most comments expressed support for the pre-application process described in the outline. Several pointed out the need for confidentiality for some information regarding early plans or proposals.

Response: The proposed rulemaking provides for confidentiality when requested to the extent reasonable and consistent with the Freedom of Information Act.

Comment: The largest number of comments received concerned the amount of detailed material that might be required from an applicant prior to receiving a right-of-way grant. Comments urged that only minimal information be required to identify the applicant, disclose plans, financial and technical capability and describe the rights and privileges requested. The comments further visualized the creation of a vicious cycle where a grant would not be made until another agency had issued some necessary permit or clearance and that agency would not act until the right-of-way had been granted.

Response: The Oil and Gas Pipeline Right-of-Way Act of 1973 upon which title V of the Federal Land Policy and Management Act was patterned,

contains stringent, mandatory disclosure requirements of applicant organization and associated plans, contracts and agreements. Title V contains similar language except that many requirements are imposed only when necessary to make a determination as to whether a right-of-way shall be granted and the terms and conditions to be included.

The Outline of Joint Procedures attempted to show a distinction between mandatory requirements and other material that might be necessary because of circumstances. Readers, however, assumed that agency officers would automatically require all possible information without regard to its usefulness. The legislative history provides guidance in this area. The Senate Report states that information already on file need not be refiled and explains the required public disclosure of the ownership and control of business entities as follows:

"Requiring disclosure is based upon the principle that the Federal Government should know the true identity of the entity and individuals applying for permission to use the national resource lands." The House Report states, "The committee expects the Secretaries to be cautious in their demands for information. They are expected to seek only the minimum amount of information essential for making the determinations required by law."

The proposed rulemaking is based on the premise that the authorized officer shall require only as much information as is necessary to assure that the applicant is a legal business entity possessing the technical and financial capability to construct, operate and maintain the proposed project. The findings of Public Utility Commissions, the Federal Energy Regulatory Commission and the Interstate Commerce Commission may be used in lieu of a finding by the authorized officer. Information already on file need not be refiled. To minimize duplication, copies of pertinent information submitted to other agencies for associated permits and clearances can be submitted to the Bureau of Land Management.

Since organizational structure frequently changes over time, grants to those other than individuals will normally include a requirement that the holder provide details of its organizational structure upon demand of the authorized officer.

Unless the issuance of associated clearances is questionable or the public lands may be subject to unnecessary environmental impacts by the use requested by the applicants, rights-of-

way will normally be granted subject to the issuance of required associated clearances and permits.

The pre-application procedure is designed to bring the applicant and the agency together much earlier than in the past to encourage an understanding of each other's needs and capabilities. Thereafter, the process is a mutual effort to determine what disclosures may be needed, the information and data necessary for environmental analysis, and acceptable alternatives. Environmental analysis will frequently be based upon conceptual plans and maps to be followed by such detailed plans, surveys, and standards as are determined necessary.

Comment: Many comments urged that the regulations impose time limits on the agencies for processing applications.

Response: Problems arise involving the extended time factors inherent in complying with applicable statutes, including the National Environmental Policy Act, the National Historic Preservation Act, and the Rare and Endangered Species Act. In addition, consultation with local government agencies, and other interested agencies and parties is required prior to issuing a grant. There is also the added time factor of reviewing each application on a case by case basis to determine the varying and specialized requirements and needs of each proposed grant. These variables make it impractical to impose set deadlines on processing of applications. However, the Bureau of Land Management realized the necessity of streamlining the application process to meet the applicant's needs.

As stated in the House Report: "The Committee considered putting time limits on the Secretaries, requiring final action within a specified period after filing an application. It decided, however, to grant the Secretaries flexibility in this respect. It expects them, however, to take *every reasonable step to assure action at the earliest practical time.*" (emphasis added).

Early contact and mutual coordination in the pre-application process will actively involve prospective users in the land use allocation and planning process. When land use plans fully consider right-of-way needs, processing of individual projects can be expedited. For example, many considerations will have been predetermined during the planning of a designated right-of-way corridor. In addition, the expense and time of false starts can be avoided.

A deliberate effort has been made to limit the application process and reduce the burden on the users. For example, disclosures are limited to the minimum necessary to comply with the statutes

and good business practices; and project details, plans and surveys need only be commensurate with project size and complexity, anticipated impacts and the commitment of lands and resources requested. Public involvement will be tailored to the impacts and interests involved. Applications can be processed while associated permits and clearances are being obtained or grants can be approved subject to their issuance. Also, early notification and provisions for cost reimbursement will relieve the agencies of budget restrictions and improve scheduling.

Comment: The Outline of Joint Procedures provided for the issuance of temporary use permits to allow an applicant to enter upon the public lands to gather information. Many objected to, or indicated the need for clarification of this provision.

Response: The proposed rulemaking allows for the casual use of the public lands without specific authorization for reconnaissance and data gathering purposes, where little if any surface disturbance will occur. However, under this proposed rulemaking, where the authorized officer determines that surface disturbing activities will take place during the process of reconnoitering and gathering information, the proponent must apply for a temporary use permit and be granted the permit prior to occupying the public lands.

Comment: A few comments stated that the purpose of the Federal Land Policy and Management Act was to grant, not deny, rights-of-way. One comment suggested that denials be limited to Congressionally designated areas, e.g., Wilderness. Many expressed concern for appeal rights when applications are denied.

Response: The Federal Land Policy and Management Act provides that a decision of whether or not a right-of-way should be granted and the determination of terms and conditions rests within the Secretary's authority. The regulations amplify on this provision of the Act. The regulations state that it is the policy of the Secretary under these regulations to grant rights-of-way within the constraints of sound land management practices and environmental considerations to any qualified applicant.

The Federal Land Policy and Management Act and other special public land use authorities provide permissive authorities that may be used to accommodate the needs of other Federal agencies, State and local governmental agencies, individuals and groups, only when they are in, or at least do not obstruct, the public interest, and

will comply with the objectives and policies for which the lands are managed and all applicable statutes. The proposed rulemaking provides an appeal procedure for denials.

Comment: Many electric utilities objected to the so-called "wheeling" provisions in the proposed outline for power transmission lines of 66 KV or higher.

Response: The House Report indicated that the committee reviewed the policy requiring holders of transmission line rights-of-way to make excess capacity available for wheeling of power from other systems. The committee rejected suggestions to modify this policy and stated "the action by the committee is to be considered a specific endorsement and support of . . ." this policy. Accordingly the wheeling provisions are included in this proposed rulemaking unchanged except to reflect the transfer of the Power Marketing Administration to the Department of Energy.

Comment: Comments regarding terms and conditions of a grant varied greatly. In substance, many urged totally unconditional grants. Several wanted all conditions expressed in regulation and no latitude in their application. Others urged selective application.

Response: Section 504(e) of FLPMA provides for regulations with respect to terms and conditions and for regular revision of such regulations. It goes on to state that such regulations shall be applicable to every right-of-way granted or renewed under title V. Section 505 requires that each right-of-way shall contain terms and conditions and provides criteria for such terms and conditions. The proposed rules closely parallel sections 504 and 505. The proposed rulemaking makes certain terms and conditions mandatory, while allowing the authorized officer to choose other terms and conditions necessary to satisfy the public interest and applicable statutes for each case. Upon acceptance by the applicant, the grant becomes a binding agreement.

Comment: Several comments expressed concern about possible interpretations of the requirement of payment for mineral and vegetative materials removed, used or destroyed to accommodate a right-of-way. For example, one comment urged that no payment be required for the mere dislodging of minerals.

Response: Contrary to several statutes now superseded by the Federal Land Policy and Management Act, the Federal Land Policy and Management Act does not convey any rights to timber and mineral materials through a right-of-way grant. Removal, disposal or use of such

materials must be authorized under applicable laws and the authorization of the authorized officer.

The Senate Report states that a right-of-way holder may not use mineral or vegetative materials without obtaining an authorization under applicable law to do so. The report further states:

"This does not prevent the holder from excavating for construction purposes and using or moving earth and non-merchantable vegetation and disposing of them in approved locations. . . . It merely requires the holder to purchase mineral materials, such as gravel, and vegetative materials, such as timber, where the sale of such materials is authorized or otherwise required by statute or regulation."

The regulations concerning materials and timber on public lands appear in 43 CFR Parts 3600 and 43 CFR 5400 and 5500, respectively. Instructions concerning sales, charges and free use are covered in these cited parts.

Comment: A few comments suggested that right-of-way holders pay for loss of wildlife habitat caused by their use.

Response: Under existing authorities, payments of this nature would be deposited to the Treasury. It is better to require appropriate mitigation measures. Properly designed and located rights-of-way often enhance wildlife habitat through furnishing needed variety of forage and valuable "edge effect" for wildlife. In addition, revegetation and other mitigating measures are carefully designed to protect wildlife habitat. Replacement of wildlife habitat lost to water development projects may be required under existing statutes.

Comment: Several comments demanded that environmental analyses and the decision whether or not to authorize a project consider only the project itself and not related activities made possible by virtue of the grant, e.g., private land development.

Response: Considerations under the National Environmental Policy Act are not limited to a proposal by itself. Agencies are to use all practical means to foster the general welfare, create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic and other requirements of present and future generations. Environmental analyses should consider both primary and secondary consequences, favorable and adverse effects, irreversible and irretrievable commitments of resources and cumulative impacts. Although emphasis is placed upon on-site impacts, all potential environmental consequences must be addressed. It is appropriate to illuminate off-site consequences. The Federal Land Policy

and Management Act requires that right-of-way grants contain terms and conditions to "(i) protect Federal property and economic interests; (ii) manage efficiently the lands which are subject to the right-of-way or adjacent to or traversed by such right-of-way; (iii) protect lives and property; (iv) protect the interests of individuals living in the general area traversed by the right-of-way who rely on the fish, wildlife, and other biotic resources of the area for subsistence purposes; (v) require location of the right-of-way along a route that will cause least damage to the environment, taking into consideration feasibility and other relevant factors; and (vi) otherwise protect the public interest in the lands traversed by the right-of-way or adjacent thereto."

It is clear that the Congress is as concerned with consequential effects on land adjacent to a right-of-way as it is with consequential effects of activities related to a right-of-way grant on public lands. Valid rights of third parties cannot be abridged. The terms and conditions mandated by title V of the Federal Land Policy and Management Act require compliance, and any activity affecting the right-of-way grant on public lands or adjacent lands is an integral part of the grant and must comply with the terms and conditions.

Comment: A few of the comments expressed concern at right-of-way width requirements and several comments objected to precise survey requirements for determining boundaries.

Response: These concerns are addressed in the legislative history. The Senate Report states, "The Committee intends that all rights-of-way granted under this title be *limited* to the minimum amount of land reasonably necessary for the conduct of the particular project activity involved" (their emphasis). Also, "the Committee has consciously avoided establishing arbitrary width limitations because experience has shown that they are not a practical guide to environmentally sound construction design; they are not amenable to technological change; and they limit the Secretary's discretion and ability to cope with unique circumstances."

Regarding surveys, the Senate Report states, "Subsection (a). This subsection provides that the Secretary shall specify the boundaries of each right-of-way as precisely as is practicable. The Committee expects that the Secretary will exercise considerable flexibility in weighing the merits of each situation. Expensive and highly precise surveys are not normally required for many rights-of-way, such as low standard logging spurs or livestock driveways.

Thus, it is expected that the Secretary will weigh the proportionate values involved when determining the appropriate level of accuracy in setting such rights-of-way boundaries."

On the same subject, the House Report states: "The Secretaries are authorized to specify the boundaries of rights-of-way and limit the grant to the project facilities and such additional lands as are necessary for operation and maintenance and to protect the environment. The purpose of this is to permit identification of the lands in the right-of-way on the ground with such degree of precision as may be needed in each case. The requirement is not meant to suggest that the outside boundaries of a right-of-way have to be surveyed or even marked although there may be cases where this will be needed."

The present requirements of the Secretary of the Interior for location of center lines and for measurements therefrom will probably meet the objectives of adequate specification of boundaries in many cases."

The proposed rulemaking does not establish predetermined widths or areas for any right-of-way grant or temporary use permit. Width and area determinations will be at the discretion of the authorized officer.

In order to maintain the integrity of the public land records and protect holder's right, the proposed rulemaking contains a requirement that all authorizations granted must be surveyed and a map prepared. Map requirements are minimal, thereby eliminating the need for expensive surveys.

Comment: Many comments addressed the limited duration of the grant as provided in the proposed regulations. Most utilities recommended a 50-year term. Other users suggested that a perpetual grant was appropriate for many rights-of-way, especially certain types of roads. Comments emphasized that duration for any particular kind of use must fully accommodate the needs of all such cases. It appeared that these users were requesting that the duration of grants be fixed by regulation.

Response: Section 504(b) of the Federal Land Policy and Management Act states "Each right-of-way or permit granted, issued or renewed . . . shall be limited to a reasonable term in light of all circumstances concerning the project." (emphasis added). The Act goes on to list several criteria to be used in making the decision, but implicit in the language is a case-by-case analysis. The section further provides that the right-of-way shall specify whether it is or is not renewable and the terms and conditions applicable to the renewal. Title I of the Federal Land Policy and

Management Act provides that although particular parcels may be disposed of in the national interest, the public lands will be retained in Federal ownership and be managed on the basis of multiple use and sustained yield. Future uses of the public lands are to be projected through a land use planning process. Title II provides guidance for land use planning and the issuance of decisions to implement the plans. However, such decision ". . . shall remain subject to reconsideration, modification and termination through revision . . ." of the land use plan. To respond to this direction, right-of-way grants need to retain reasonable opportunity to adjust to change.

The legislative history is helpful. The Senate Report states: "One purpose of this section is to give the holder . . . a degree of certainty and security as to his tenancy so that adequate financing can be arranged. This is particularly necessary for major projects. In certain instances, due to the very long term nature of . . . investments . . . it may be appropriate to specify a length of term which is very long or even perpetual. In such cases, there should be provisions for review and revision of terms and conditions to reflect changing times and conditions." (emphasis added).

The House Report states: "The requirement that the terms of a right-of-way be 'limited to a reasonable term' does not prevent the issuance ". . . for indefinite terms, the exact duration of which will be contingent on continuation of specific events or circumstances." Two examples are given—a timber road could be issued for "so long as the lands served by it are managed for long term timber production"; and a reservoir could be authorized for, ". . . so long as the power is produced in commercial quantities." The report goes on to state, "an alternative would be to provide in the right-of-way a right of renewal so long as the same contingencies exist."

The preproposed rulemaking has been modified to determine the duration of a right-of-way grant on public lands based on: (1) a term which is no longer than is necessary to accomplish the purpose of the authorization, (2) a term which is reasonable in light of all circumstances concerning the proposed continued use, and (3) project financing which may require an identified duration. Long term authorizations (those exceeding 20 years) may provide within the granting instrument terms for revision at specified times to provide an opportunity to reflect changing circumstances.

Given the thrust of the Federal Land Policy and Management Act for matching duration to the needs of individual projects and the wide variety of local situations, it is felt that setting maximum terms in the regulations is inappropriate. Guidance in deciding duration will be in agency manuals, which are public documents. Decisions of the authorized officer are subject to review at higher levels and judicial review if necessary.

Response: Several comments were made on the need for criteria for deciding if rights-of-way were in conflict with wilderness study areas and "areas of critical environmental concern." A related request urged that a specific finding and public record be established documenting a decision to use a less than optimum routing from the environmental viewpoint.

Response: As previously stated, this proposed rulemaking involves only a general procedure for obtaining rights-of-way. The process used on all rights-of-way is prescribed under NEPA, which includes all aspects of environmental legislation. Severe restrictions and Legislative or Executive mandates make specific reference in this rulemaking unnecessary. For the Bureau of Land Management, the land report on every right-of-way will document the reasons for selecting a given route or location pursuant to section 505(b)(ii) of the Federal Land Policy and Management Act.

Comment: A few comments suggested that easements or short-term temporary permits be the only instruments granted.

Response: Instead of defining the specific types of instruments of conveyance contained in the definition of right-of-way under the Federal Land Policy and Management Act, the proposed rulemaking defines right-of-way as a generic term, the underlying purpose being that a right-of-way can be easily tailored to meet any individual right-of-way situation. Temporary use permits are also defined in the proposed rulemaking. These permits will have a limited term and will be issued only when necessary to facilitate the applicant's or holder's completion of his application or compliance with the terms and conditions of the right-of-way grant.

Comment: Several parties expressed concern that exclusive use and control of rights-of-way may be necessary under circumstances when the nature of the right-of-way or a related use poses a threat to public safety or the addition of another right-of-way related use within the site may be technically incompatible.

Response: Both agencies recognize safety and other hazards associated with mixing industrial and recreational or other public use. They also recognize the technical incompatibility or added cost burdens associated with the proximate location of some uses.

Section 503 of the Federal Land Policy and Management Act states: "In order to minimize adverse environmental impacts and the proliferation of separate rights-of-way, the utilization of rights-of-way or permits shall reserve to the Secretary concerned the right to grant additional rights-of-way or permits for compatible uses on or adjacent to rights-of-way granted pursuant to this Act."

The Secretaries are directed to take into consideration "... National and State land use policies, environmental quality, economic efficiency, national security, safety and good engineering and technological practices," in designating and confining rights-of-way to corridors.

It is clear that rights-of-way are to be granted and managed on a basis that provides only such exclusivity as is truly necessary for the proposed use and is compatible with multiple use management and the public health and safety. Unsafe and untenable combinations will not be required. Further, common use of permit areas will be granted only after consultation with all parties involved.

Section 503 further requires the utilization of corridors where practical, and mandates that the Secretary issue regulations containing criteria and procedures for designating corridors. Criteria and procedures are incorporated in this proposed rulemaking. Designating corridors is a new area and will require extensive land use planning and coordination with other Federal agencies, State and local governments, private land owners and other interested groups.

Comment: Many comments urged that right-of-way grants be freely transferable by the holder without agency review or approval.

Response: These comments seem to ask for grants of fee simple in the public lands. This was not the intent of the Federal Land Policy and Management Act. The Senate Report for the Act states that management of national resource lands is to include the techniques of the issuance of permits, licenses, leases and other appropriate instruments to allow uses of land. It goes on to state, "The Secretary could not, however, convey out of Federal ownership any land or interest in land under this authorization." It is clear that management responsibility and

authority is to remain with the Government.

Right-of-way grants authorize specified rights and privileges to named individuals or entities. At the same time, they require certain responsibilities be assumed by the holder. Transfer of privileges and responsibilities must be controlled in order to maintain a viable contractual relationship between the user and the agency. In addition, the Federal Land Policy and Management Act requires certain qualifications and disclosures from applicants. The Bureau of Land Management has the responsibility to determine a transferee's qualifications prior to transferring a right-of-way to that party. A right-of-way granted on public lands is a privilege, not an absolute right. The proposed rulemaking provides for the assignment of any grant or permit provided that the assignment has been approved by the authorized officer.

Comment: Several comments urged that grants be renewed, revised and assigned subject only to the initial terms and conditions.

Response: As discussed previously, the legislative history of the Federal Land Policy and Management Act acknowledges the possible need for very long term grants but indicates that such grants should provide for revision of terms and conditions to reflect changing times.

Title II gives guidance in land use planning and provides that management decisions shall remain subject to reconsideration, modification and termination through revision of the land use plan involved. Land use authorizations need to be made in a manner that will retain reasonable opportunities to adjust to new perceptions of the public interest.

An application to change the use authorized or the right-of-way site is a recognition by the holder of the need for revision. It opens the contractual relationship for appropriate revisions in the interest of both the holder and the Government.

The proposed rulemaking provides for modification at time of amendment. The need to update terms and conditions and the specific changes will be explained prior to transfer, thus reducing unexpected impacts on new owners.

Upon renewal, terms and conditions will also be reviewed and may be modified when appropriate. In addition, very long term grants will provide for modification in the public interest at specified times, generally keyed to the revision of land management plans.

An alternative would be to issue only short term grants due to inability to

predict future contingencies. We believe that the maximum latitude should be given a holder by allowing the authorized officer, through the terms and conditions required in the regulations, to periodically review the provisions in a grant to determine if provisions need modification. Modifications may not be required in many circumstances and the review may serve to keep present provisions unchanged. However, changing circumstances involving, for example, public interest, safety or changing needs may require revising, modifying or deleting certain provisions or the entire grant. The holder's interests and contractual expectations will always be protected unless countervailing circumstances in the public interest should outweigh the individual interests. Appeal procedures are available to protect the holder's rights.

Comment: Most comments objected to bonding to assure compliance with terms and conditions. Many requested that regulated utilities and major companies be exempted from bonding.

Response: The Bureau of Land Management has had the authority to require bonding in the past and has used it with discretion. Bonding guarantees that money to repair damages is available, if necessary. It also deters willful non-compliance. Bonding, however, will be used only when the potential for damage is significant. The Federal Land Policy and Management Act's requirement that a right-of-way will not be issued until the authorized officer is satisfied that the holder is technically and financially capable, should reduce dependence on bonding.

Comment: The comments made about land rental fees were often contradictory. A few comments suggested fees should be based upon fair market value appraisal of the highest and best use of the land, others said not to use highest and best use. Still others asked, "fair market value of what?" Several requested a single lifetime payment, a few suggested five year payments, and others agreed with annual payments. Some comments urged individual appraisals, while others said "keep it simple" or use standard predetermined rates, and a few demanded that everybody pay the same rates. Several other comments recommended that fees not be adjusted with market changes, and one urged that the holder be required to manage the land for wildlife production in lieu of fees.

Response: In title I of the Federal Land Policy and Management Act, Congress declared that it is the policy of the United States that, "... (9) the

United States receive *fair market value of the use* of the public lands and their resources unless otherwise provided for by statute." (emphasis added) The Act reflects the fee principles stated in the Natural Resources User Charges Study transmitted to agencies by the former Bureau of the Budget in 1984. It states in part: "Many Federal Government programs furnish specific, identifiable benefits to the individuals and businesses using them. Equity to all taxpayers demands that those who enjoy the benefits should bear a greater share of the costs."

"Where Federally owned resources or property are leased or sold, a fair market value should be obtained. Charges are to be determined by the application of sound business management principles and so far as practicable and feasible in accordance with comparable practices."

"The Federal Government should recover the fair market value for the use of Federal land resources. Competitive bidding will be used to establish the fair market value on all instances where an identifiable competitive interest exists. Where a competitive interest does not exist, fees should be comparable to those charged for the use of similar private lands. Fees and charges for longterm use should be established in such a manner as will allow periodic timely adjustment."

Following these principles, fees will be determined by using acceptable land appraisal techniques and will represent the fair market value of the benefits received by the holder. Appraisal techniques acceptable to the appraisal industry will be used. The Bureau of Land Management and the Forest Service will coordinate techniques and results for consistency, as appropriate. Predetermined rates developed on a local or regional basis through comparison to appraised cases will be used under circumstances that do not warrant the expense of individual appraisal. In accordance with the Federal Land Policy and Management Act, annual fees will be charged except where the annual rental is less than \$100. In such cases, 5-year payments will be required. Fees will be adjusted when necessary to reflect current fair market value.

Comment: Many comments requested that the regulations establish unequivocal free use for particular kinds of use (telephones, industries) and types of organizations (REA cooperatives and governmental bodies). Others urged that all users pay the same rates.

Response: The Federal Land Policy and Management Act provides discretionary authority to waive rental

fees where a right-of-way is granted in reciprocation for a right-of-way conveyed to the United States in connection with a cooperative cost-share program.

It also provides discretionary authority to charge less than fair market value, including free use, to certain governmental and non-profit entities or where a valuable benefit is provided to the public or the programs of the agency without or at reduced charges. The House Report indicated the committee considered and supported long time agency policy of providing special price considerations favoring State and local governments and non-profit organizations. The Senate Report states "... it is not the intent of this committee to allow use of ... land without charge except where the holder is the Federal Government itself. ..."

Failure to charge fair market value provides a subsidy by all the public. It follows that free or lesser charges should be used only in those circumstances where all the public benefits from the use. Non-profit entities that are essentially tax or donation supported and which are engaged in a public or semi-public activity designed for the public health, safety or welfare will qualify for lesser charges. As a matter of equity, we believe it is inappropriate to charge lesser fees or grant free use when the holder is engaged in similar business and follows practices comparable to private commercial enterprise. For this reason, REA cooperatives and municipal utilities whose principle source of revenue is customer charges will, hereafter, be charged fair market value fees. In view of wide variations in organization, purpose and manner of doing business, it is impractical to attempt to interpret in the regulations each and every circumstance that may or may not qualify for fee reductions. Fair and equitable application will rest with the authorized officer. Uniformity will be achieved through Manual guidance and training. Decisions on charges are appealable.

Comment: There was practically unanimous objection to various aspects of cost reimbursement. Several comments said that the public should pay the cost of environmental studies because the public, not the applicant, benefits. Users asked to be exempt because their use was in the public interest through furnishing needed services to customers. Most felt that the nonrefundable fee schedules were too high and inequitable. Most wanted itemized expenditures and provisions for audit of agency records when actual

costs rather than fee schedules are used. Several pointed out that private land owners would reciprocate and charge for costs when granting rights-of-way to the government. Several also wanted cost recovery waived when rental fees were waived, mandatory refund of excess payments, and return of payments if the application was denied.

Response: The Bureau of Land Management initiated cost reimbursement for all non-governmental rights-of-way in 1975 on existing authorities. In 1976, the Federal Land Policy and Management Act gave the Bureau and the Forest Service discretionary authority to recover "reasonable" costs. The Secretary of the Interior affirmed that costs of special studies and environmental reports were reasonable in Secretarial Order 3011 (42 FR 55280 (October 14, 1977)).

This issue was litigated twice, once under the statutory authority prior to the Federal Land Policy and Management Act, and most recently under the Act. In both cases, the Federal District Courts ruled that special studies and environmental reports were public benefits and should not be charged to an applicant. The ruling on the Act is under appeal. Pending the outcome of the appeal, no substantive change in position can be made.

The proposed rulemaking adopts the existing Bureau of Land Management cost reimbursement provisions (43 CFR 2802, except that the provision allowing bonds to cover reimbursement costs has been deleted. This is necessary because the 1978 appropriation act for the Bureau sets up a special account (authorized by the Act). At this time, the Bureau's funds for processing rights-of-way come from the special account and the sole source of funds is advance payment by applicants. The language and legislative history of the Oil and Gas Pipeline Act of 1973, the Federal Land Policy and Management Act of 1976, and the 1977 and 1978 Bureau of Land Management Appropriation Acts lead us to believe that our position is correct. By using cost reimbursement, processing major projects can be initiated quickly without waiting for the regular appropriation cycle. This can avoid up to 18 months delay in commencing application processing.

The proposed rulemaking also retains the present exemptions for cost reimbursement for: (1) State and local governments or their agencies and instrumentalities where the lands will be used for governmental purposes; (2) road use agreements or reciprocal road agreements; and (3) Federal agencies.

Situations exist where Federal agencies and private owners exchange

rights through road use and reciprocal road agreements. These are exempt from cost reimbursement. When the United States acquires a right-of-way, the costs of environmental reports, special studies and processing are borne by the Bureau of Land Management rather than the land owner.

Fees less than fair market value are granted in recognition of public services or benefits provided, including non-profit status organizations and corporations, but agency costs continue. Therefore, the proposed rulemaking did not adopt the nonreimbursement suggestion. Most applicants who qualify for free rental will be excluded from cost reimbursement.

Problems associated with returning excess payments center on the amount, not whether or not the Government must return overpayments. Mandatory language is unnecessary.

Recent experience indicates that the current minimum schedule of fees does not return all processing costs. Therefore, opportunities for lower fees are unlikely.

Costs incurred up to the point of denial of the application must be borne by the applicant. Denial has no effect on costs. By recording actual costs rather than fee schedules, the applicant has the right to obtain records kept by the Bureau of Land Management of actual processing costs, including personnel time, printing costs and surveying costs, all of which may be audited.

Comment: Many comments expressed opposition to imposing strict liability upon users and urged low limits of liability if adopted. Under this requirement, the holder is required to pay damages caused by his use whether or not the injuries and damages resulted from the holder's or third party actions or negligence.

Response: We believe it is appropriate that those who conduct extremely hazardous activities on public lands assume the risk of loss for injuries or damages caused to such public lands, natural resources, wildlife, other Federal lands, or innocent third parties whose property is destroyed as a direct result of the holder's extremely hazardous activities. Such holder shall also have the burden of performing immediate corrective actions; for example, replanting trees on public lands destroyed by fire.

Although strict liability may appear stringent at first glance, it serves to encourage preventative action and prompt attention to malfunctions. Certain extremely hazardous activities and uses have great destructive potential, e.g., forest fires, oil spills or radioactivity. Prompt preventative

measures must therefore be taken to avoid massive destruction and loss of life and property. Placing the burden of risk or loss on the holder is an equitable measure recognized in commercial transactions, because, as between the holder, who is performing extremely hazardous activities, and an innocent third party land owner having property adjacent to the right-of-way, it is only reasonable that the person causing a hazardous or potentially hazardous activity control such activity or insure himself against potential hazards which he cannot control. Sometimes, however, such areas can be avoided or treated and risks can often be abated through undergrounding, insulating, improved system design and innovative clearing practices.

Liability provisions as drafted in these proposed regulations shall be imposed only in those cases where foreseeable hazards and risks are present, following the language in the Mineral Leasing Act of 1920, as amended by Pub. L. 93-153, title I (1973), after which title V of the Federal Land Policy and Management Act was modeled, and a strict liability ceiling of \$1,000,000.00 was established. The holder is relieved of strict liability where damages or injuries result from acts of war or negligence of the United States.

Comment: Comments about the termination and suspension provisions in the proposed regulations varied widely. A few comments indicated fears of unreasonable acts by the administering officers. One comment suggested that action should be taken only for repeated violations, and another suggested action be taken only for willful and reckless misconduct.

Response: In accordance with the Federal Land Policy and Management Act, failure to construct, non-use or abandonment and failure to comply with terms and conditions of the grant and regulations are sufficient grounds for termination. The proposed rulemaking provides for written notice of the grounds for action and reasonable time to cure any non-compliance. The holder of a right-of-way may appeal any final decision which terminates the holder's right-of-way grant.

When the authorized officer finds a condition which must be immediately enjoined to protect the public health or safety or the environment, an immediate temporary suspension will be issued. Prompt on-the-ground review by a superior officer is provided in the case of immediate suspensions.

Comment: Several comments asked that if a right-of-way was to be terminated, sufficient time be granted to allow for budgeting of costs. A few

asked that projects be terminated only when a reasonable alternative route was available.

Response: The proposed rulemaking provides for early notification. Normally the authorized officer will work with the holder to identify acceptable alternatives, but the Bureau of Land Management cannot bind itself to do this in all cases. Just as in the past, the Bureau does not expect a large number of terminations. Good locations based on inventories and land use planning will reduce the need for terminating rights-of-way.

Comment: Many comments objected to obtaining approval from the Bureau of Land Management prior to modifying facilities within an authorized right-of-way. Some opposition was based on interpreting the language in the Outline of Proposed Procedures to require approval of every activity including internal changes (changing electronic equipment within communication vaults), replacing broken insulators, etc. Several asked that upgrading capacity and phased reinforcement of facilities be allowed without advance approval.

Response: The proposed rulemaking is designed to accommodate normal maintenance without advance approval. Planned expansion, phased construction or reinforcement of authorized facilities can be included in the original application processing and authorized in the grant. When the grant is designed to accommodate changes, the contact and plan provision discussed below will involve minimal effort.

The language indicates that amended applications will be required when changes involve additional land or when the grant does not authorize the proposed use. The proposed rulemaking requires contact with the office administering the land and the joint development of contingency plans when activities or changes will impact the resources or visual characteristics or make previous analyses invalid. Contact and plans are also required for changes that might adversely affect other uses or the public. Contingency plans provide for appropriate protection and rehabilitation plans and additional environmental analysis, if needed.

Comment: Several comments opposed burdening counties and States with expensive surveys or map preparation costs in order to record existing public roads constructed under authority of R.S. 2477.

Response: The proposed rulemaking sets very minimum standards for maps. In most instances, existing highway or road maps will meet these requirements. Accuracy will be in keeping with the purpose which is to clarify road

ownership. Notation of the records affords protection to holders of these rights-of-way from third party interference and protects the holder's interest should ownership of the lands change.

It is hereby determined that the publication of this document is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a significant regulatory action requiring the preparation of a regulatory analysis under Executive Order 12044 or 43 CFR Part 14.

Under the authority of title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761-1771), it is proposed to revise Group 2800, Subchapter B, Chapter II, Title 43 of the Code of Federal Regulations as set forth below:

1. Part 2800 is revised to read as follows:

Group 2800—Use; Rights-of-Way

PART 2800—RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES

Subpart 2800—Rights-of-Way; General

- Sec.
- 2800.0-1 Purpose.
- 2800.0-2 Objectives.
- 2800.0-3 Authority.
- 2800.0-5 Definitions.
- 2800.0-7 Scope.

Subpart 2801—Terms and Conditions of Rights-of-Way Grants and Temporary Use Permits

- 2801.1 Nature of interest.
- 2801.1-1 Nature of right-of-way interest.
- 2801.1-2 Reciprocal grants.
- 2801.2 Terms and conditions of interests granted.
- 2801.3 Unauthorized occupancy.

Subpart 2802—Applications

- 2802.1 Pre-application activity.
- 2802.2 Application filing activity.
- 2802.2-1 Application filing.
- 2802.2-2 Coordination of applications.
- 2802.3 Application content.
- 2802.3-1 Applicant qualifications and disclosure.
- 2802.3-2 Technical and financial capability.
- 2802.3-3 Project description.
- 2802.3-4 Environmental protection plan.
- 2802.3-5 Additional information.
- 2802.3-6 Maps.
- 2802.4 Application processing.
- 2802.5 Special application procedures.

Subpart 2803—Administration of Rights Granted

- 2803.1 General requirements.
- 2803.1-1 Reimbursement of costs.

- Sec.
- 2803.1-2 Rental fees.
- 2803.1-3 Bonding.
- 2803.1-4 Liability.
- 2803.2 Holder activity.
- 2803.3 Immediate temporary suspension of activities.
- 2803.4 Suspension and termination of grants and permits.
- 2803.4-1 Disposition of improvements upon termination.
- 2803.5 Change in Federal jurisdiction or disposal of lands.
- 2803.6 Amendments, assignments and renewals.
- 2803.6-1 Amendments.
- 2803.6-2 Amendments to existing railroad grants.
- 2803.6-3 Assignments.
- 2803.6-4 Reimbursement of costs for assignments.
- 2803.6-5 Renewals of right-of-way grants and temporary use permits.

Subpart 2804—Appeals

- 2804.1 Appeals procedure—general.

Subpart 2805—Applications for Electric Power Transmission Line of 66 KV or Above

- 2805.1 Application requirements.

Subpart 2806—Right-of-Way Corridor Designation

- 2806.1 Corridor designation.
- 2806.2 Designation criteria.
- 2806.2-1 Procedures for designation.

Subpart 2807—Reservations to Federal Agencies

- 2807.1 Application filing.
- 2807.1-1 Document preparation.
- 2807.1-2 Termination and suspension.

Subpart 2808—Rights-of-Way; General

§ 2808.0-1 Purpose.

The purpose of the regulations in this part is to establish procedures for the orderly and timely processing of applications, grants, permits, amendments, assignments and terminations for rights-of-way and permits over, upon, under or through public lands pursuant to title V, Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761-1771).

§ 2808.0-2 Objectives.

It is the objective of the Secretary of the Interior to grant rights-of-way and temporary use permits, covered by the regulations in this part, to any qualified individual, business entity, or governmental entity and to regulate, control and direct the use of said rights-of-way on public land so as to:

- (a) Protect the natural resources associated with the public lands and adjacent private or other lands administered by a government agency.
- (b) Prevent unnecessary or undue environmental damage to the lands and resources.

(c) Promote the utilization of rights-of-way in common with respect to engineering and technological compatibility, national security and land use plans.

(d) Coordinate, to the fullest extent possible, all actions taken pursuant to this part with State and local governments, interested individuals and appropriate quasi-public entities.

§ 2800.0-3 Authority.

The regulations for this subpart are issued under title V of the Federal Land Policy and Management Act of 1976.

§ 2800.0-5 Definitions.

As used in this part, the term:

(a) "Act" means the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1701 et seq.).

(b) "Secretary" means the Secretary of the Interior.

(c) "Authorized officer" means any employee of the Bureau of Land Management to whom has been delegated the authority to perform the duties described in this part.

(d) "Public lands" means any lands or interest in land owned by the United States and administered by the Secretary through the Bureau of Land Management, without regard to how the United States acquired ownership, except: (1) lands located on the Outer Continental Shelf; and (2) lands held for the benefit of Indians, Aleuts and Eskimos.

(e) "Applicant" means any qualified individual, partnership, corporation, association or other business entity, and any Federal, State or local governmental entity including municipal corporations which applies for a right-of-way grant or a temporary use permit.

(f) "Holder" means any applicant who has received a right-of-way grant or temporary use permit.

(g) "Right-of-way" means the public lands authorized to be used or occupied pursuant to a right-of-way grant.

(h) "Right-of-way grant" means an instrument issued pursuant to title V of the act authorizing the use of a right-of-way over, upon, under or through public lands for construction, operation, maintenance and termination of a project.

(i) "Temporary use permit" means a revocable non-possessory, non-exclusive privilege, authorizing temporary use of public lands in connection with construction, operation, maintenance, or termination of a project.

(j) "Facilities" means improvements constructed or to be constructed or used within a right-of-way pursuant to a right-of-way grant.

(k) "Project" means the transportation or other system for which the right-of-way is authorized.

(l) "Right-of-way corridor" means a parcel of land either linear or areal in character that has been identified by law, Secretarial Order, through the land use planning process or other management decision process as being suitable to accommodate more than one type of right-of-way or one or more rights-of-way which are similar, identical, or compatible.

§ 2800.0-7 Scope.

This part sets forth regulations governing:

(a) Issuing, amending or renewing right-of-way grants for necessary transportation or other systems or facilities which are in the public interest and which require rights-of-way over, upon, under or through public lands, including but not limited to:

(1) Reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, tunnels and other facilities and systems for the impoundment, storage, transportation or distribution of water;

(2) Pipelines and other systems for the transportation or distribution of liquids and gases, other than water and other than oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom, and for storage and terminal facilities in connection therewith;

(3) Pipelines, slurry and emulsion systems, and conveyor belts for transportation and distribution of solid materials, and facilities for the storage of such materials in connection therewith;

(4) Systems for generation, transmission and distribution of electric energy, except that the applicant shall also comply with all applicable requirements of the Federal Energy Regulatory Commission under the Federal Power Act of 1935 (16 U.S.C. 791);

(5) Systems for transmission or reception of radio, television, telephone, telegraph and other electronic signals, and other means of communication;

(6) Roads, trails, highways, railroads, canals, tunnels, tramways, airways, livestock driveways or other means of transportation except where such facilities are constructed and maintained in connection with commercial recreation facilities on lands in the National Forest System;

(7) Such other necessary transportation or other systems or facilities which are in the public interest and which require rights-of-way over, upon, under or through such lands; or

(8) Rights-of-way to any Federal department or agency for pipeline purposes for the transportation of oil, natural gas, synthetic liquid or gaseous fuels, or any product produced therefrom.

(b) Temporary use of additional public lands for such purposes as the Secretary determines to be reasonably necessary for construction, operation, maintenance or termination of rights-of-way, or for access to the project or a portion of the project.

(c) However, the regulations contained in this part do not cover right-of-way grants for: Federal Aid Highways, roads constructed or used pursuant to cost share or reciprocal road use agreements, wilderness areas, and oil, gas and petroleum products pipelines except as provided for in § 2800.0-3(a)(8) of this title.

Subpart 2801—Terms and Conditions of Rights-of-Way Grants and Temporary Use Permits

§ 2801.1 Nature of Interest.

§ 2801.1-1 Nature of right-of-way interest.

(a) All rights in public lands subject to a right-of-way grant or temporary use permit not expressly granted are retained and may be exercised by the United States. These rights include, but are not limited to:

(1) A continuing right of physical entry on and into any part of any facility within the right-of-way or permit area; and

(2) The right to require common use of the right-of-way, and the right to authorize use of the right-of-way for compatible uses (including the subsurface and air space).

(b) A right-of-way or temporary use permit may be used only for the purposes specified in the authorization. The holder may allow others to use the land as his/her agent in exercising the rights granted.

(c) All right-of-way grants and temporary use permits shall be issued subject to valid existing rights.

(d) A right-of-way grant or temporary use permit shall not give or authorize the holder to take from the public lands any mineral or vegetative material, including timber, without securing authorization under the Materials Act (30 U.S.C. 601 et seq.), and paying in advance the fair market value of the material cut, removed, used, or destroyed. However, common varieties of stone and soil necessarily removed in the construction of a project may be used elsewhere along the same right-of-way or permit area in the construction of the project without additional authorization and

payment. At his discretion and when it is in the public interest, the authorized officer may in lieu of requiring an advance payment for any mineral or vegetative materials, including timber, cut or excavated, require the holder to stockpile or stack the material as designated locations for later disposal by the United States.

(e) A holder of a right-of-way grant or temporary use permit may assign a grant or permit to another, provided the holder obtains the written approval of the authorized officer.

(f) Notwithstanding the provisions of paragraph (b) of this section, the holder of a right-of-way grant may sublease a facility constructed, except for roads, on the right-of-way with the prior written consent of the authorized officer. In any subleasing arrangement, the holder shall continue to be responsible for compliance with all conditions of the grant.

(g) Each right-of-way grant or temporary use permit shall describe the public lands to be used or occupied and the grant or permit shall be limited to those lands which the authorized officer determines:

(1) Will be occupied by the facilities authorized;

(2) To be necessary for the construction, operation, maintenance, and termination of the authorized facilities;

(3) To be necessary to protect the public health and safety; and

(4) Will do no unnecessary damage to the environment.

(h) Each grant or permit shall specify its term. The term of the grant shall be limited to a reasonable period. A reasonable period for a right-of-way grant may range from a month to a year or a term of years to perpetuity. The term for a temporary use shall not exceed 3 years. In determining the period for any specific grant or permit, the authorized officer shall limit the term to no longer than is necessary to accomplish the purpose of the authorization. Factors to be considered by the authorized officer for the purpose of establishing an equitable term pertaining to the use include, but are not limited to:

(1) Land use plans and other management decisions;

(2) Public benefits provided;

(3) Cost and useful life of the facility;

(4) Project financing; and

(5) Any time limitations imposed by required licenses or permits that the holder must secure from other Federal or State agencies.

(i) Each grant issued for a term of 20 years or more shall contain a provision

requiring periodic review of the grant at regular intervals not to exceed 10 years.

(j) Each grant will have a provision stating whether it is renewable or not and if renewable, the terms and conditions applicable to the renewal.

(k) Each grant will not only comply with the regulations of this part, but also, comply with the provisions of any other applicable law and implementing regulations as appropriate.

§ 2801.1-2 Reciprocal grants.

When the authorized officer determines from an analysis of land use plans or other management decisions that a right-of-way for an access road is or shall be needed by the United States across lands directly or indirectly owned or controlled by an applicant for a right-of-way grant, he or she shall, if it is determined to be in the public interest, require the applicant, as a condition to receiving a right-of-way grant, to grant the United States a right-of-way that is adequate and similar in duration and rights.

§ 2801.2 Terms and conditions of interest granted.

(a) An applicant by accepting a right-of-way grant, temporary use permit, assignment, amendment or renewal agrees and consents to comply with and be bound by the following terms and conditions, excepting those which the Secretary may waive in a particular case:

(1) To the extent practicable, all State and Federal laws applicable to the authorized use and such additional State and Federal laws, along with the implementing regulations, that may be enacted and issued during the term of the grant or permit.

(2) That the right-of-way grant or temporary use permit be subject to the express covenant that it shall be modified, adapted or discontinued within the provisions of the act and without liability to the United States, if found by the Secretary that the use of the land for which the authorization was granted conflicts with any future proposed use or occupancy of the land when it is determined that the proposal will better serve the national interest.

(3) That in the construction, operation, maintenance and termination of the authorized use, there shall be no discrimination against any employee or applicant for employment because of race, creed, color, sex or national origin and all subcontracts shall include an identical provision.

(4) To build and repair roads, fences, and trails that may be destroyed or damaged by construction, operation or

maintenance of the project and to build and maintain suitable crossings for roads and trails that intersect the project.

(5) To do everything reasonably within his or her power, both independently and upon request of the authorized officer, to prevent and suppress fires on or near the right-of-way or permit area. This includes making available such construction and maintenance forces as may be reasonably obtained for the suppression of fires.

(b) All right-of-way grants and temporary use permits issued, renewed, amended or assigned under these regulations shall contain such terms, conditions, and stipulations as may be required by the authorized officer regarding extent, duration, survey, location, construction, operation, maintenance, use and termination. The authorized officer shall impose stipulations which shall include, but shall not be limited to:

(1) Requirements for restoration, revegetation and curtailment of erosion of the surface of the land, or any other rehabilitation measure determined necessary;

(2) Requirements to ensure that activities in connection with the grant or permit shall not violate applicable air and water quality standards or related facility siting standards established by or pursuant to applicable Federal or State law;

(3) Requirements designed to control or prevent damage to scenic, esthetic and environmental values (including damage to fish and wildlife habitat), damage to public or private property and hazards to public health and safety;

(4) Requirements to protect the interests of individuals living in the general area who rely on the fish, wildlife and biotic resources of the area for subsistence purposes;

(5) Requirements to ensure that the facilities to be constructed, used and operated on the prescribed location are maintained and operated in a manner consistent with the grant or permit; and

(6) Requirements for compliance with State standards for public health and safety, environmental protection and siting, construction, operation and maintenance when those standards are more stringent than Federal standards.

§ 2801.3 Unauthorized occupancy.

Any occupancy or use of the public lands, other than casual use as set forth in § 2802.1(d) of this title, without authorization shall be considered a trespass and shall subject the trespasser to prosecution and liability for the trespass. Issuance of a right-of-way

grant or temporary use permit to a trespasser shall be made in accordance with § 9239.0-9 of this title. This provision applies to all unauthorized use of the public lands and precludes the issuance of a right-of-way grant or temporary use permit until the trespass case has been settled. Once the trespass case has been settled, a new grant or permit may be made by the authorized officer in accordance with the procedures set forth in this part.

Subpart 2802—Applications

§ 2802.1 Preapplication activity.

(a) Anyone interested in obtaining a right-of-way grant or temporary use permit involving use of public lands is encouraged to establish early contact with the Bureau of Land Management office responsible for management of the affected public lands so that potential constraints may be identified, the proposal may be considered in land use plans, and processing of an application may be tentatively scheduled. The appropriate officer shall furnish the proponent with guidance and information about:

(1) Possible land use conflicts as identified by review of land management plans, land ownership records and other available information sources;

(2) Application procedures and probable time requirements;

(3) Applicant qualifications;

(4) Cost reimbursement requirements;

(5) Associated clearances, permits and licenses which may be required in addition to, but not in place of the grants or permits required under these regulations;

(6) Environmental and management considerations;

(7) Any other special conditions that can be identified;

(8) Identification of on-the-ground investigations which may be required in order to complete the application; and

(9) Coordination with Federal, State and local government agencies.

(b) Any information furnished by the proponent in connection with a pre-application activity or use which he/she requests not be disclosed, shall be protected to the extent consistent with the Freedom of Information Act (5 U.S.C. 552).

(c) No right-of-way applications processing work, other than that incurred in the processing of permits for temporary use of public lands in furtherance of the filing of an application and pre-application guidance under paragraph (a) of this section, shall be undertaken by the authorized officer prior to the filing of an

application together with advance payment as required by § 2803.1-1 of this title. Such processing work includes, but is not limited to, special studies such as environmental analyses, environmental statements, engineering surveys, resource inventories and detailed land use of record analyses.

(d) The prospective applicant is authorized to go upon the public lands to perform casual acts related to data collection necessary for the filing of an acceptable application. These casual acts or activities include, but are not limited to: (1) vehicle use on existing roads; (2) sampling; (3) marking of routes or sites; or (4) other activities that do not disturb the surface or require the removal of vegetation.

If, however, the authorized officer determines that appreciable surface or vegetative disturbance will occur or is a real possibility he shall issue a temporary use permit with appropriate terms, conditions, and special stipulations pursuant to § 2801.2 of this title.

(e) When, during pre-application discussions with the prospective applicant, the authorized officer supplies the prospective applicant with information set out in paragraph (a) of this section, the authorized officer shall also inform appropriate Federal, State and local government agencies that pre-application discussions have begun in order to assure that effective coordination between the prospective applicant and all responsible government agencies is initiated as soon as possible.

§ 2802.2 Application filing activity.

§ 2802.2-1 Application filing.

Applications for a right-of-way grant or temporary use permit shall be filed with the District Manager or the State Director having jurisdiction over the affected public lands except:

(a) Applications for Federal Aid Highways shall be filed pursuant to 23 U.S.C. 107, 317, as set out in 43 CFR 2821;

(b) Applications for cost-share roads shall be filed pursuant to 43 CFR 2812;

(3) Applications for oil and gas pipelines shall be filed pursuant to 43 CFR 2880; and

(4) Applications for projects on lands under the jurisdiction of 2 or more administrative units of the Bureau of Land Management may be filed at any of the Bureau of Land Management offices having jurisdiction over part of the project, and the applicant shall be notified where subsequent communications shall be directed.

§ 2802.2-2 Coordination of applications.

Applicants filing with any other Federal, State or local agency for a license, certificate of public convenience and necessity or any other authorization for a project involving a right-of-way on public lands, shall simultaneously file an application under this part with the Bureau of Land Management for a right-of-way grant. To minimize duplication, pertinent information from the application to such agency may be appended or referenced in the application for the right-of-way grant.

§ 2802.3 Application content.

§ 2802.3-1 Applicant qualifications and disclosure.

(a) An applicant for a right-of-way grant or temporary use permit must be a citizen of the United States, an association of such citizens, organized under the laws of the United States or of any State thereof, a corporation or other business entity organized or licensed under the laws of the United States or of any State thereof, a Federal agency, or a State or local government. Aliens may not acquire or hold any direct or indirect interest in right-of-way grants or temporary use permits except that they may own or control stock in corporations holding right-of-way grants or temporary use permits, if the laws of their country do not deny similar or like privileges to citizens of the United States. If any appreciable percentage of the stock of a corporation is held by aliens who are citizens of a country denying similar or like privileges to United States citizens, its application shall be denied. A right-of-way shall not be granted to a minor, but right-of-way may be granted to legal guardians or trustees of minors in their behalf.

(b) An application by a private corporation shall be accompanied by a copy of its charter or articles of incorporation, duly certified by the proper State official where the corporation was organized, and a copy of its bylaws, duly certified by the secretary of the corporation.

(c) A corporation, other than a private corporation, shall file a copy of the law under which it was formed and provide proof of organization under the same, and a copy of its bylaws, duly certified by the secretary of the corporation.

(d) When a corporation is doing business in a State other than that in which it is incorporated, it shall submit a certificate from the Secretary of State or other proper official of that State indicating that it has complied with the laws of the State governing foreign corporations to the extent required to entitle the company to operate in such

State, and that the corporation is in good standing under the laws of that State.

(e) A copy of the resolution by the board of directors of the corporation or other documents authorizing the filing of the application shall also be filed.

(f) If the corporation has previously filed with the Department the papers required by this subpart, and there have not been any amendments or revisions of the corporation's charter, articles of incorporation or bylaws, the requirements of this subpart may be met in subsequent applications, by specific reference to the previous filing by date, place and case number.

(g) If the applicant is a partnership, association or other unincorporated entity, the application shall be accompanied by a certified copy of the articles of association, partnership agreement, or other similar document creating the entity, if any. The application shall be signed by each partner or member of the entity, unless the entity shows evidence in the form of a resolution or similar document that one member has been authorized to sign in behalf of the others. In the absence of such resolution each partner shall furnish the evidence of qualification which would be required if the partner or member were applying separately.

(h) If the applicant is a State or local government, or agency or instrumentality thereof, the application shall be accompanied by a statement to that effect and a copy of the law, resolution, order, or other authorization under which the application is made.

(i) Each application by a partnership, corporation, association or other business entity shall disclose the identity of the participants in the entity and shall include where applicable:

(1) The name, address and citizenship of each participant (partner, associate or other);

(2) Where the applicant is a corporation: the name, address, and citizenship of each shareholder owning 3 percent or more of each class of shares, together with the number and percentage of any class of voting shares of the entity which each shareholder is authorized to vote; and

(3) The name, address, and citizenship of each affiliate of the entity. Where an affiliate is controlled by the entity, the application shall disclose the number of shares and the percentage of each class of voting stock of that affiliate owned, directly or indirectly, by the entity. If an affiliate controls the entity, the number of shares and the percentage of each class of voting stock of the entity owned, directly or indirectly, by the affiliate shall be included.

§ 2802.3-2 Technical and financial capability.

The applicant shall furnish evidence satisfactory to the authorized officer that the applicant has, or prior to commencement of construction shall have, the technical and financial capability to construct, operate, maintain and terminate the project for which authorization is requested.

§ 2802.3-3 Project description.

(a) The applicant shall furnish an explanation of how the project will interrelate with existing and future projects and other developments on the public lands.

(b) The project description shall be in sufficient detail to enable the authorized officer to determine:

- (1) The technical and economic feasibility of the project;
- (2) Its impact on the environment;
- (3) Any benefits provided to the public;
- (4) The safety of the proposal; and
- (5) The specific public lands proposed to be occupied or used.

When required by the authorized officer, applicant shall also submit the following:

- (i) A description of the proposed facility;
- (ii) An estimated schedule for construction of all facilities together with anticipated manpower requirements for each stage of construction;
- (iii) A description of the construction techniques to be used;
- (iv) Total estimated construction costs; and
- (v) A description of the applicant's alternative route considerations.

§ 2802.3-4 Environmental protection plan.

If the authorized officer determines that the issuance of the right-of-way authorization requires the preparation of an environmental statement, the applicant shall submit a plan for the protection and rehabilitation of the environment during construction, operation, maintenance and termination of the project.

§ 2802.3-5 Additional information.

The applicant shall furnish any other information and data required by the authorized officer to enable him/her to make a decision on the application.

§ 2802.3-6 Maps.

(a) The authorized officer may at his/her discretion require the applicant to file a map with the application. When the authorized officer determines not to require the filing of a map with the application, the application may be filed

and processing may proceed. Where the application is accepted without a map, the applicant shall be notified that a map shall be required prior to the issuance of the grant or permit, or within 60 days of completion of construction, as determined by the authorized officer. When the authorization is for use of an existing road controlled by the United States, any map showing said road shall suffice. The requirements of paragraph (b) of this section shall not apply in this situation.

(b) Maps portraying linear rights-of-way, as a minimum, shall show the following data:

(1) The bearing and distance of the traverse line or the true centerline of the facility as constructed;

(2) At least one tie to a public land survey monument to either the beginning or ending point of the right-of-way. If a public land survey monument is not within a reasonable distance as determined by the authorized officer, the survey shall be tied to either a relatively permanent man-made structure or monument or some prominent natural feature. However, when the right-of-way crosses both public lands and lands other than public lands, each parcel of public land crossed by said right-of-way must be tied to a public land survey monument, or if the map shows a continuous survey from the beginning point to the ending point of the project regardless of land ownership, then only one corner tie at either the initial or terminal point is required;

(3) The exterior limits of the right-of-way and the width thereof;

(4) A north arrow;

(5) All subdivisions of each section or portion thereof crossed by the right-of-way, with the subdivisions, sections, townships, and ranges clearly and properly noted; and

(6) Scale of the map. The map scale shall be such that all of the required information shown thereon is legible.

(c) Maps portraying non-linear or site-type rights-of-way shall include the requirements of paragraph (b)(4), (5), and (6) of this section. In addition, the map shall show, as a minimum, the following data:

(1) The bearing and distance of each exterior sideline of the site; and

(2) At least one angle point of the survey shall be tied to a public land survey monument, as provided for in paragraph (b)(2) of this section.

(d) Any person, State or local government which has constructed public highways under authority of R.S. 2477 (43 U.S.C. 932, repealed October 12, 1976), shall file within 3 years of the effective date of these regulations a map showing the location of all such public

highways constructed under R.S. 2477. Maps required pursuant to this paragraph shall, as a minimum, be a county highway map showing all county roads located on the public lands, a State highway map showing State highways located on public land, and in the case of a municipality, a street or road map showing the location of city streets or roads. An individual who has constructed a public road pursuant to R.S. 2477 shall, as a minimum, submit a United States Geological Survey Quadrangle showing the location of said road on public land.

§ 2802.4 Application processing.

(a) The authorized officer shall acknowledge, in writing, receipt of the application and initial cost reimbursement payment required by § 2803.1-1 of this title. An application may be denied if the authorized officer determines that:

(1) The proposed right-of-way or permit would be inconsistent with the purpose for which the public lands are managed;

(2) That the proposed right-of-way or permit would not be in the public interest;

(3) The applicant is not qualified;

(4) The right-of-way or permit would otherwise be inconsistent with the act or other applicable laws; or

(5) The applicant does not or cannot demonstrate that he/she has the technical or financial capacity.

(b) Upon receipt of the acknowledgement, the applicant may continue his or her occupancy of the public land pursuant to § 2802.1(d) of this title to continue to gather data necessary to perfect the application. However, if the applicant finds or the authorized officer determines that surface disturbing activities will occur in gathering the necessary data to perfect the application, the applicant shall file an application for a temporary use permit prior to entering into such activities on the public land.

(c) The authorized officer may require the applicant for a right-of-way grant to submit such additional information as he deems necessary for review of the application. Where the authorized officer determines that the information supplied by the applicant is incomplete or does not conform to the act or these regulations, the authorized officer shall either reject the application or notify the applicant of the continuing deficiency and afford the applicant an opportunity to file a correction. Where a deficiency notice has not been adequately complied with, the authorized officer may reject the application or notify the applicant of the continuing deficiency

and afford the applicant an opportunity to file a correction.

(d) Prior to issuing a right-of-way grant or temporary use permit, the authorized officer shall:

(1) Complete an environmental analysis in accordance with the National Environmental Policy Act of 1969;

(2) Determine the compliance of the applicant's proposed plans with applicable Federal and State laws;

(3) Consult with all other Federal, State, and local agencies having an interest, as appropriate; and

(4) Take any other action necessary to fully evaluate and make a decision to approve or deny the application and prescribe suitable terms and conditions for the grant or permit.

(e) The authorized officer may hold public meetings on an application for a right-of-way grant or temporary use permit if he determines that such meetings are appropriate and that sufficient public interest exists to warrant the time and expense of such meetings. Notice of public meetings shall be published in the Federal Register or in local newspapers or in both.

(f) A right-of-way grant or temporary use permit need not conform to the applicant's proposal, but may contain such modifications, terms, stipulations or conditions, including changes in route or site location on public lands, as the authorized officer determines to be appropriate.

(g) No right-of-way grant or temporary use permit shall be in effect until the applicant has accepted, in writing, the terms and conditions of the grant or permit. Written acceptance shall constitute an agreement between the applicant and the United States that, in consideration of the right to use public lands, the applicant shall comply with all terms and conditions contained in the authorization and the provisions of applicable laws and regulations.

(h) The authorized officer may place a provision in a right-of-way grant requiring that no construction on or use of the right-of-way shall occur until detailed construction or use plans have been submitted to the authorized officer for approval and one or more notices to proceed with that construction or use have been issued by the authorized officer. This requirement may be imposed for all or any part of the right-of-way.

§ 2802.5 Special application procedures.

An applicant filing for a right-of-way within 4 years from the effective date of this subpart for an unauthorized electric power or telephone line that existed on

public land prior to October 21, 1976, is not:

(a) Required to reimburse the United States for costs incurred for processing an application and for the preparation of reports and statements pursuant to the National Environmental Policy Act of 1969 (see § 2803.1-1(a)(1)) which are above the schedule shown in § 2803.1-1(a)(3)(i) of this title.

(b) Required to reimburse the United States for costs incurred incident to a right-of-way for monitoring (the construction, operation, maintenance and termination) of authorized facilities as required in § 2803.1-1(b) of this title.

(c) Required to pay rental fees for the period of unauthorized land use.

Subpart 2803—Administration of Rights Granted

§ 2803.1 General requirements.

§ 2803.1-1 Reimbursement of costs.

(a)(1) An applicant for a right-of-way grant or a temporary use permit shall reimburse the United States for administrative and other costs incurred by the United States in processing the application, including the preparation of reports and statements pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347), before the right-of-way grant or temporary use permit shall be issued under the regulations of this title.

(2) The regulations contained in this subpart do not apply to:

(i) State or local governments or agencies or instrumentalities thereof where the public lands shall be used for governmental purposes and such lands and resources shall continue to serve the general public, except as to right-of-way grants or temporary use permits issued under section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 180);

(ii) Road use agreements or reciprocal road agreements; or

(iii) Federal agencies.

(3) An applicant shall submit with each application a nonreturnable payment in accordance with the following schedule:

(i) Each right-of-way grant or temporary use permit for crossing public lands (e.g., for powerlines, pipelines, roads and other linear uses).

Length	Payments
Less than 5 miles.....	\$50 per mile or fraction thereof.
5 to 20 miles.....	\$500.
20 miles and over.....	\$500 for each 20 miles or fraction thereof.

(ii) Each right-of-way grant or temporary use permit for non-linear uses

(e.g. for communication sites, reservoir sites, plant sites, and camp sites)—\$250 for each 40 acres or fraction thereof.

(4) When an application is received, the authorized officer shall estimate the costs expected to be incurred by the United States in processing the application. If, in the judgment of the authorized officer, such costs will exceed the payment required by paragraph (a)(3) of this section by an amount which is greater than the cost of maintaining actual cost records for the application review process, the authorized officer shall require the applicant to make periodic payments of the estimated reimbursable costs prior to the incurrence of such costs by the United States. Such payments may be refunded or adjusted as provided by paragraph (a)(8) of this section.

(5) Prior to the issuance of a right-of-way grant or temporary use permit, the applicant shall be required to pay additional amounts to the extent the costs of the United States have exceeded the payments required by paragraphs (a)(3) and (4) of this section.

(6) An applicant whose application is denied shall be responsible for administrative and other costs incurred by the United States in processing its application, and such amounts as have not been paid in accordance with paragraphs (a)(3) and (4) of this section shall be due within 30 days of receipt of notice from the authorized officer of the amount due.

(7) An applicant which withdraws its application before a decision is reached on said application is responsible for costs incurred by the United States in processing such application up to the date upon which the authorized officer receives written notice of the withdrawal, and for costs subsequently incurred by the United States in terminating the application review process. Reimbursement of such costs shall be due within 30 days of receipt of notice from the authorized officer of the amount due.

(8) If payment, as required by paragraphs (a)(4) and (b)(3) of this section, exceeds actual costs to the United States, refund may be made by the authorized officer from applicable funds under authority of 43 U.S.C. 1734, or the authorized officer may adjust the next billing to reflect the overpayment previously received. Neither an applicant nor a holder shall set off or otherwise deduct any debt due to or any sum claimed to be owed them by the United States without the prior written approval of the authorized officer.

(9) The authorized officer shall, on request, give an applicant or a prospective applicant an estimate,

based on the best available cost information, of the costs which would be incurred by the United States in processing an application. However, reimbursement shall not be limited to the estimate of the authorized officer if actual costs exceed the projected estimate.

(10) When 2 or more applications for right-of-way grants are filed which the authorized officer determines to be in competition with each other, each applicant shall reimburse the United States according to subparagraphs (3) through (7) of this section, except that those costs which are not readily identifiable with one of the applications, such as costs for portions of an environmental statement that relate to all of the proposals generally, shall be paid by each of the applicants in equal shares.

(11) When through partnership, joint venture or other business arrangement, more than one person, partnership, corporation, association or other entity apply together for a right-of-way grant or temporary use permit, each such applicant shall be jointly and severally liable for costs under § 2803.1-1 of this title.

(12) When 2 or more noncompeting applications for right-of-way grants are received for what, in the judgment of the authorized officer, is one right-of-way system, all the applicants shall be jointly and severally liable for costs under § 2803.1-1 of this title for the entire system; subject, however, to the provisions of subparagraph (11) of this paragraph.

(13) The regulations contained in § 2803.1-1 of this title are applicable to all applications for right-of-way grants or temporary use permits incident to rights-of-way over the public lands pending on June 1, 1975.

(b)(1) After issuance of a right-of-way grant or temporary use permit for which fees were assessed under paragraph (a) of this section, the holder thereof shall reimburse the United States for costs incurred by the United States in monitoring the construction, operation, maintenance and termination of authorized facilities on the right-of-way or permit area, and for protection and rehabilitation of the lands involved.

(2) Each holder of a right-of-way grant or temporary use permit shall submit within 60 days of the issuance thereof a nonreturnable payment in accordance with the following schedule:

(i) Each right-of-way grant or temporary use permit for crossing public lands (e.g., for powerlines, pipelines, roads, and other linear uses),

Length	Payment
Less than 5 miles.....	\$20 per mile or fraction thereof.
5 to 20 miles.....	\$200.
20 miles and over	\$200 for each 20 miles or fraction thereof.

(ii) Each right-of-way grant or temporary use permit (e.g., for communication sites, reservoir sites, plant sites, and camp sites)—\$100 for each 40 acres or fraction thereof.

(iii) If a project has the feature of subdivisions (i) and (ii) of this subparagraph in combination, the payment shall be the total of the amounts required by subdivisions (i) and (ii) of this subparagraph.

(3) When a right-of-way grant or temporary use permit is issued, the authorized officer shall estimate the costs, based on the best available cost information, expected to be incurred by the United States in monitoring holder activity. If such costs exceed the payment required by paragraph (b)(2) of this section by an amount which is greater than the costs of maintaining actual costs records for the monitoring process, the authorized officer shall require the holder to make periodic payments of the estimated reimbursable costs prior to the incurrence of such costs by the United States. Such payments may be refunded or adjusted as provided by paragraph (a)(8) of this section.

(4) Following termination of a right-of-way grant or temporary use permit, the former holder shall be required to pay additional amounts to the extent the actual costs incurred by the United States have exceeded the payments required by paragraphs (b) (2) and (3) of this section.

§ 2803.1-2 Rental fees.

(a) The holder of a right-of-way grant or temporary use permit, except as provided in paragraphs (b) and (c) of this section, or when waived by the Secretary, shall pay annually, in advance, the fair market rental value as determined by the authorized officer. Said fee shall be based upon the fair market value of the rights authorized in the right-of-way grant or temporary use permit, as determined by appraisal by the authorized officer, provided however, that where the annual fee is \$100 or less, an advanced lump-sum payment for 5 years may be required. The 5-year lump-sum for use and occupancy of lands under these regulations shall not be less than \$25.00.

(b) To expedite the processing of any grant or permit pursuant to this part, the authorized officer may establish an

estimated rental fee and collect this fee in advance with the provision that upon receipt of an approved fair market value appraisal the advance rental fee shall be adjusted accordingly.

(c) No fee, or a fee less than fair market rental, may be authorized under the following circumstances:

(1) When the holder is a Federal, State or local government or any agency or instrumentality thereof, excluding municipal utilities and cooperatives whose principal source of revenue is customer charges.

(2) When the holder is a nonprofit corporation or association which is not controlled by or is not a subsidiary of a profit making corporation or business enterprise.

(3) When a holder provides without charge, or at reduced rates, a valuable benefit to the public or to the programs of the Secretary.

(4) Rental fees may be waived for rights-of-way involving cost share roads and reciprocal right-of-way agreements.

(5) In instances where the applicant holds an outstanding permit, lease, license or contract for which the United States is already receiving compensation, no rental fee shall be charged for the following:

(i) Where the applicant needs a right-of-way grant or temporary use permit within the exterior boundaries of the permit, lease, license or contract area; and

(ii) Where the applicant needs a right-of-way across public lands outside the permit, lease, license or contract area in order to reach said area.

(d) Rental fees may be initiated or adjusted whenever necessary to reflect current fair market value: (1) As a result of reappraisal of fair market values, or (2) as a result of a change in the holder's qualifications under paragraph (c) of this section. Reasonable notice shall be given prior to imposing or adjusting rental fees pursuant to this paragraph. Decisions on fees are subject to appeal pursuant to § 2804 of this title.

(e) If a charge required by this section is not paid when due, and such default shall continue for 30 days after notice, action may be taken to terminate the right-of-way grant. After default has occurred, no structures, buildings or other equipment may be removed from the servient lands except upon written permission from the authorized officer.

§ 2803.1-3 Bonding.

The authorized officer may require the holder of a right-of-way grant or temporary use permit to furnish a bond or other security satisfactory to him, to secure the obligations imposed by the

grant or permit and applicable laws and regulations.

§ 2803.1-4 Liability.

(a) Except as provided in paragraph (f) of this section, each holder shall be fully liable to the United States for any damage or injury incurred by the United States in connection with the use and occupancy of the right-of-way or permit area by the holder.

(b) Except as provided in paragraph (f) of this section, holders shall be held to a standard of strict liability for any activity or facility within a right-of-way or permit area which the authorized officer determines, in his discretion, presents a foreseeable hazard or risk of damage or injury to the United States. The activities and facilities to which such standards shall apply shall be specified in the right-of-way grant or temporary use permit. Strict liability shall not be imposed for damage or injury resulting primarily from an act of war or the negligence of the United States. To the extent consistent with other laws, strict liability shall extend to costs incurred by the United States for control and abatement of conditions, such as fire or oil spills, which threaten lives, property or the environment, regardless of whether the threat occurs on areas that are under Federal jurisdiction. Stipulations in right-of-way grants and temporary use permits imposing strict liability shall specify a maximum limitation on damages which, in the judgment of the authorized officer, is commensurate with the foreseeable risks or hazards presented. The maximum limitation shall not exceed \$1,000,000 for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

(c) In any case where strict liability is imposed and the damage or injury was caused by a third party, the rules of subrogation shall apply in accordance with the law of the jurisdiction in which the damage or injury occurred.

(d) Except as provided in paragraph (f) of this section, holders shall be fully liable for injuries or damages to third parties resulting from activities or facilities on lands under Federal jurisdiction in which the damage or injury occurred.

(e) Except as provided in paragraph (f) of this section, holders shall fully indemnify or hold harmless the United States for liability, damage or claims arising in connection with the holder's use and occupancy of rights-of-way or permit areas.

(f) If a holder is a State or local government, or agency or

instrumentality thereof, it shall be liable to the fullest extent its laws allow at the time it is granted a right-of-way grant or temporary use permit. To the extent such a holder does not have the power to assume liability, it shall be required to repair damages or make restitution to the fullest extent of its powers at the time of any damage or injury.

(g) All owners of any interest in, and all affiliates or subsidiaries of any holder of a right-of-way grant or temporary use permit, except for corporate stockholders, shall be jointly and severally liable to the United States in the event that a claim cannot be satisfied by the holder.

(h) Except as otherwise expressly provided in this section, the provision in this section for a remedy is not intended to limit or exclude any other remedy.

(i) If the right-of-way grant or temporary use permit is issued to more than one holder, each shall be jointly and severally liable under this section.

§ 2803.2 Holder activity.

(a) If a notice to proceed requirement has been included in the grant or permit, the holder shall not initiate construction, occupancy or use until the authorized officer issues a notice to proceed.

(b) Any substantial deviation in location or authorized use by the holder during construction, operation or maintenance shall be made only with prior approval of the authorized officer under § 2803.6-1 of this title for the purposes of this paragraph, substantial deviation means:

(1) With respect to location, the holder has constructed the authorized facility outside the prescribed boundaries of the right-of-way authorized by the instant grant or permit.

(2) With respect to use, the holder has changed or modified the authorized use by adding equipment, overhead or underground lines, pipelines, structures or other facilities not authorized in the instant grant or permit.

(c) The holder shall notify the authorized officer of any change in status subsequent to the application or issuance of the right-of-way grant or temporary use permit. Such changes include, but are not limited to, legal mailing address, financial condition, business or corporate status. When requested by the authorized officer, the holder shall update and/or attest to the accuracy of any information previously submitted.

(d) If required by the terms of the right-of-way grant or temporary use permit, the holder shall, subsequent to construction and prior to commencing operations, submit to the authorized officer a certification of construction,

verifying that the facility has been constructed and tested in accordance with terms of the right-of-way grant or temporary use permit, and in compliance with any required plans and specifications, and applicable Federal and State laws and regulations.

§ 2803.3 Immediate temporary suspension of activities.

(a) If the authorized officer determines that an immediate temporary suspension of activities within a right-of-way or permit area for violation of the terms and conditions of the right-of-way authorization is necessary to protect public health or safety or the environment, he may promptly abate such activities prior to an administrative proceeding.

(b) The authorized officer may give an immediate temporary suspension order orally or in writing at the site of the activity to the holder or a contractor or subcontractor of the holder, or to any representative, agent, employee or contractor of the holder, and the suspended activity shall cease at that time. As soon as practicable, the authorized officer shall confirm the order by a written notice to the holder addressed to the holder or the holder's designated agent.

(c) An order of immediate temporary suspension of activities shall remain effective until the authorized officer issues an order permitting resumption of activities.

(d) Any time after an order of immediate temporary suspension has been issued, the holder may file with the authorized officer a request for permission to resume. The request shall be in writing and shall contain a statement of the facts supporting the request.

(e) The authorized officer may render an order to either grant or deny the request to resume within 5 working days of the date the request is filed. If the authorized officer does not render an order on the request within 5 working days, the request shall be considered denied, and the holder shall have the same right to appeal the denial as if a final order denying the request had been issued by the authorized officer.

§ 2803.4 Suspension and termination of right-of-way authorizations.

(a) If the right-of-way grant or temporary use permit provides by its terms that it shall terminate on the occurrence of a fixed or agreed-upon condition, event, or time, the right-of-way authorization shall thereupon automatically terminate by operation of law, unless some other procedure is specified in the right-of-way grant or

temporary use permit. The authorized officer may terminate a right-of-way grant or temporary use permit when the holder request or consents to its termination in writing.

(b) The authorized officer may suspend or terminate a right-of-way grant or temporary use permit if he determines that the holder is unwilling, unable or has failed to comply with applicable laws or regulations, or any terms, conditions or stipulations of the right-of-way grant or temporary use permit or has abandoned the right-of-way.

(c) Failure of the holder of a right-of-way grant to use the right-of-way for the purpose for which the authorization was issued for any continuous five-year period shall constitute a presumption of abandonment. The holder may rebut the presumption by proving that his failure to use the right-of-way was due to circumstances not within the holder's control.

(d) Before suspending or terminating a right-of-way grant the authorized officer shall give the holder written notice that such action is contemplated and the grounds therefor and shall allow the holder a reasonable opportunity to cure such noncompliance.

§ 2803.4-1 Disposition of improvements upon terminations.

Within a reasonable time after termination, revocation or cancellation of a right-of-way grant, the holder shall remove such structures and improvements and shall restore the site to a condition satisfactory to the authorized officer. If the holder fails to remove all such structures or improvements within a reasonable period, as determined by the authorized officer, they shall become the property of the United States, but the holder shall remain liable for the cost of removal of the structures and improvements and for restoration of the site.

§ 2803.5 Change in Federal jurisdiction or disposal of lands.

(a) Where a right-of-way grant or temporary use permit administered under these regulations traverses public lands that are transferred to another Federal agency, administration of the right-of-way shall, at the discretion of the authorized officer, be assigned to the acquiring agency unless such assignment would diminish the rights of the holder.

(b) Where a right-of-way grant or temporary use permit traverses public lands that are transferred out of Federal ownership, the transfer of the land shall, at the discretion of the authorized officer, include an assignment of the

right-of-way, be made subject to the right-of-way, or the United States may reserve unto itself the land encumbered by the right-of-way.

§ 2803.6 Amendments, assignments and renewals.

§ 2803.6-1 Amendments.

(a) Any substantial deviation in location or use as set forth in § 2803.2(b) shall require the holder of a grant or permit to file an amended application. The requirements for the amended application and the filing are the same and shall be accomplished in the manner as set forth in subpart 2802 of this title.

(b) Holders of right-of-way grants issued before October 21, 1976, who find it necessary or are directed by the authorized officer to amend their grants shall comply with paragraph (a) of this section in filing their applications. Upon acceptance of the amended application by the authorized officer an amended right-of-way grant shall be issued. To the fullest extent possible, and when in the public interest as determined from current land use plans and other management decisions, the amended grant shall contain the same terms and conditions set forth in the original grant with respect to annual rent, duration and nature of interest.

§ 2803.6-2 Amendments to existing railroad grants.

(a) An amended application required under § 2803.6-1(a) or (b), as appropriate, shall be filed with the authorized officer for any realignment of a railroad and appurtenant communication facilities which are required to be relocated due to the realignment. Upon acceptance of the amended application by the authorized officer, an amended right-of-way grant shall be issued within 6 months of date of acceptance of the application. The date of acceptance of the application for the purpose of this paragraph shall be determined in accordance with § 2802.4(a).

(b) Notwithstanding the regulations of this part, the authorized officer may include in the amended grant the same terms and conditions of the original grant with respect to the payment of annual rental, duration, and nature of interest if he/she finds them to be in the public interest and the lands involved are not within an incorporated community and are of approximately equal value.

§ 2803.6-3 Assignments.

Any proposed assignment in whole or in part of any right or interest in a right-of-way grant or temporary use permit

acquired pursuant to the regulations of this part shall be filed in accordance with §§ 2802.1-1 and 2802.3 of this title. The application for assignment shall be accompanied by the same showing of qualifications of the assignee as if the assignee were filing an application for a right-of-way grant or temporary use permit under the regulations of this part. In addition, the assignment shall be supported by a stipulation that the assignee agrees to comply with and to be bound by the terms and conditions of the grant to be assigned plus any additional terms and conditions and any special stipulations that the authorized officer may impose. No assignment shall be recognized unless and until it is approved in writing by the authorized officer.

§ 2803.6-4 Reimbursement of cost for assignments.

All filings for assignments made pursuant to this section shall be accompanied by a nonrefundable payment of \$50.00 from the assignor. Exceptions for a nonrefundable payment for an assignment are same as in § 2802.1 of this title.

§ 2803.6-5 Renewals of right-of-way grants and temporary use permits.

(a) When a grant provides that it may be renewed, the authorized officer shall renew the grant so long as the project or facility is still being used for purposes authorized in the original grant and is being operated and maintained in accordance with all the provisions of the grant and pursuant to the regulations of this title. Prior to renewing the grant, the authorized officer may modify the grant's terms, conditions, and special stipulations to reflect any new requirements imposed by current Federal and State land use plans, laws, regulations or other management decisions.

(b) When a grant does not contain a provision for renewal, the authorized officer, upon request from the holder and prior to the expiration of the grant, may renew the grant at his discretion. A renewal pursuant to this section shall comply with the same provisions contained in paragraph (a) of this section.

(c) Temporary use permits issued pursuant to the regulations of this part may be renewed at the discretion of the authorized officer. The holder of a permit desiring a renewal shall notify the authorized officer in writing of the need for renewal prior to its expiration date. Upon receipt of the notice, the authorized officer shall either renew the permit or reject the request.

(d) Renewals of grants and permits pursuant to paragraphs (a), (b) and (c) of this section are not subject to § 2803.1-1 of this title.

(e) Denial of any request for renewal by the authorized officer under paragraphs (b) and (c) of this section shall be final with no right of review or appeal.

Subpart 2804—Appeals.

§ 2804.1 Appeals procedure.

(a) All appeals under this part shall be taken under 43 CFR Part 4 from any final decision of the authorized officer to the Office of the Secretary, Board of Land Appeals.

(b) All decisions of the authorized officer under this part shall remain effective pending appeal unless the Secretary rules otherwise, and the provisions of 43 CFR 4.21(a) shall not apply to such decisions.

Subpart 2805—Applications for Electric Power Transmission Lines of 66 KV or Above

§ 2805.1 Application requirements.

(a) Each application for authority to construct, work and maintain a facility for the generation of electric power and energy or for the transmission or distribution of electric power and energy of 66 kilovolts or higher under this subpart shall be referred to the Secretary of the Department of Energy to determine the relationship of the proposed facility to the power-marketing program of the United States. Where the proposed facility does not conflict with the program of the United States, the authorized officer, upon notification to that effect, shall proceed to act upon the application. In the case of necessary changes respecting the proposed location, construction or utilization of the facility in order to eliminate conflicts with the power-marketing program of the United States, the authorized officer shall obtain from the applicant written consent to or compliance with such requirements before taking further action on the application: *Provided, however, That if increased costs to the applicant result from changes to eliminate conflicts with the power-marketing program of the United States, and it is determined that a right-of-way should be granted, such changes will be required upon equitable contract arrangements covering costs and other appropriate factors.*

(b) The applicant shall make provision, or bear the reasonable cost, as may be determined by the Secretary of the Department of Energy, of making provision for avoiding inductive or

conductive interference between any transmission facility or other works constructed, operated or maintained by it on the right-of-way authorized under the grant and any radio installation, telephone line or other communication facilities existing when the right-of-way is authorized or any such installation, line or facility thereafter constructed or operated by the United States or any agency thereof. This provision shall not relieve the applicant from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating conductive interference.

(c) An applicant for a right-of-way for a transmission facility having a voltage of 66 kilovolts or more shall execute and file with its application a stipulation agreeing to accept the right-of-way grant subject to the following conditions:

(1) In the event the United States, pursuant to law, acquires the applicant's transmission or other facilities constructed on or across such right-of-way, the price to be paid by the United States shall not include or be affected by any value of the right-of-way granted to the applicant under authority of the regulations of this part.

(2) The Department of Energy shall be allowed to utilize for the transmission of electric power and energy any surplus capacity of the transmission facility in excess of the capacity needed by the holder in connection with the holder's operations, or to increase the capacity of the transmission facility at the Department's expense and utilize such increased capacity for the transmission of electric power and energy. The utilization of surplus or increased capacity shall be subject to the following terms and conditions:

(i) When the Department of Energy desires to utilize surplus capacity thought to exist in the transmission facility, notification shall be given to the holder, and the holder shall furnish to the Department of Energy within 30 days a certificate stating whether the transmission facility has any surplus capacity not needed by the holder for the transmission of electric power and energy in connection with the holder's operations and, if so, the amount of such surplus capacity.

(ii) Where the certificate indicates that there is no surplus capacity or that the surplus capacity is less than that required by the Department of Energy, the authorized officer may call upon the holder to furnish additional information upon which its certification is based. Upon receipt of such additional information, the authorized officer shall determine whether surplus capacity is

available, and if so, the amount of such surplus capacity.

(iii) In order to utilize any surplus capacity determined to be available, or any increased capacity provided by the Department of Energy at its own expense, the Department of Energy may interconnect its transmission facilities with the holder's transmission facility in a manner conforming to approved standards of practice for the interconnection of transmission circuits.

(iv) The expense of interconnection will be borne by the Department of Energy which shall at all times provide and maintain adequate protective equipment to insure the normal and efficient operation of the holder's transmission facilities.

(v) After any interconnection is completed, the holder shall operate and maintain its transmission facilities in good condition, and except in emergencies, shall maintain in a closed position all connections under the holder's control necessary for the transmission of the Department of Energy's power and energy over the holder's transmission facilities. The parties may, by mutual consent, open any switch where necessary or desirable for maintenance, repair or construction.

(vi) The transmission of electric power and energy by the Department of Energy over the holder's transmission facilities shall be effected in such manner as shall not interfere unreasonably with the holder's use of the transmission facilities in accordance with the holder's normal operating standards, except that the Department of Energy shall have the exclusive right to utilize any increased capacity of the transmission facility which has been provided at the Department of Energy's expense.

(vii) The holder shall not be obligated to allow the transmission of electric power and energy by the Department of Energy to any person receiving service from the holder on the date of the filing of the application for grant, other than statutory preference customers including agencies of the Federal Government.

(viii) The Department of Energy shall pay to the holder an equitable share of the total monthly cost of that part of the holder's transmission facilities utilized by the Department for the transmission of electric power and energy. The payment shall be based on an amount in dollars representing the same proportion of the total monthly cost of such part of the transmission facilities as the maximum amount in kilowatts of the power transmitted on a scheduled basis by the Department over the holder's transmission facilities bears to the total capacity in kilowatts of that portion of

the transmission facilities. The total monthly cost shall be determined in accordance with the system of accounts prescribed by the Federal Energy Regulatory Commission, exclusive of any investment by the Department of Energy in the part of the transmission facilities utilized by the Department.

(ix) If, at any time subsequent to a certification by the holder or determination by the authorized officer that surplus capacity is available for utilization by the Department of Energy, the holder needs the whole or any part of this capacity theretofore certified or determined as being surplus to the needs of the holder, the holder may request the authorized officer to modify or revoke the previous certification or determination by making application to the authorized officer not later than 36 months in advance of the holder's needs. Any modification or revocation of the certification or determination shall not affect the right of the Department of Energy to utilize facilities provided at its expense or available under a contract entered into by reason of the equitable contract arrangements provided for in this paragraph.

(x) If the Department of Energy and the holder disagree as to the existence or amount of surplus capacity in carrying out the terms and conditions of this paragraph, the disagreement shall be decided by a board of three persons composed as follows: The holder and the Department of Energy shall each appoint a member of the board and the two members shall appoint a third member. If the members appointed by the holder and the Department of Energy are unable to agree on the designation of the third member, he shall be designated by the Chief Judge of the United States Court of Appeals of the circuit in which the major share of the facilities involved is located. The board shall determine the issue and its determination, by majority vote, shall be binding on the Department of Energy and the holder.

(xi) As used in this section, the term "transmission facility" includes (a) all types of facilities for the transmission of electric power and energy and facilities for the interconnection of such facilities, and (b) the entire transmission line and associated facilities from substation or interconnection point to substation or interconnection point, of which the segment crossing the lands of the United States forms a part.

(xii) The terms and conditions prescribed in this paragraph may be modified at any time by means of a supplemental agreement negotiated between the holder and the Department of Energy which agreement shall be concurred in by the Secretary of the Interior.

Subpart 2806—Designation of Right-of-Way Corridors

§ 2806.1 Corridor designation.

(a) The authorized officer may, based upon his/her motion or receipt of an application, designate right-of-way corridors across any public lands in order to minimize adverse environmental impacts and the proliferation of separate rights-of-way. The designation of corridors shall not preclude the granting of separate rights-of-way over, upon, under or through the public lands where the authorized officer determines that confinement to a corridor is not appropriate.

(b) Any existing transportation or utility right-of-way that is capable of accommodating an additional compatible right-of-way may be designated as a right-of-way corridor by the authorized officer without further review. Subsequent right-of-way grants shall, to the extent practical and as determined by the authorized officer, be confined to designated corridors.

(c) Upon a determination by the authorized officer and based upon the criteria of § 2806.2 of this title, a right-of-way corridor shall be designated by publication of a notice in the Federal Register.

§ 2806.2 Designation criteria.

The locations and boundary designations of right-of-way corridors shall be determined by the authorized officer after a thorough review of:

(a) Federal, State and local land-use plans and applicable Federal and State laws.

(b) Environmental impacts on natural resources including soil, air, water, fish, wildlife, vegetation and on cultural resources.

(c) Physical effects and constraints on corridor placement or rights-of-way placed therein due to geology, hydrology, meteorology, soil or land forms.

(d) Economic efficiency of placing a right-of-way within a corridor, taking into consideration costs of construction, operation and maintenance, and costs of modifying or relocating existing facilities in a proposed corridor.

(e) National security risks.

(f) Potential health and safety hazards to the public lands users and the general public due to materials or activities within the right-of-way corridor.

(g) Engineering compatibility of proposed and existing facilities.

(h) Social and economic impacts of the facilities on public lands users, adjacent landowners and other groups or individuals.

§ 2806.2-1 Procedures for designation.

(a) The authorized officer shall, to the extent practical, designate right-of-way

corridors that are consistent with the Bureau of Land Management's land use plans. In making designations, the authorized officer shall consult with Federal, State, and local agencies, local landowners, and other interested user groups in a manner that provides an opportunity for interested parties to express their views and have those views considered prior to corridor designation.

(b) The authorized officer shall take appropriate measures to inform the public of designated utility transportation corridors, so that existing and potential right-of-way applicants, governmental agencies and the general public will be aware of such corridor locations and any restrictions applicable thereto. Public notice of such designations may be given through publication in local newspapers or through distribution of planning documents, environmental impact statements or other appropriate documents.

Subpart 2807.7—Reservation to Federal Agencies

§ 2807.1 Application filing.

A Federal agency desiring a right-of-way or temporary use permit over, upon, under or through the public lands pursuant to this part, shall apply to the authorized officer and comply with the provisions of subpart 2802 of this title to the extent that the requirements of subpart 2802 of this title are appropriate for Federal agencies.

§ 2807.1-2 Document preparation.

(a) The right-of-way reservation need not conform to the agency's proposal, but may contain such modifications, terms, conditions or stipulations, including changes in route or site location, as the authorized officer determines appropriate.

(b) All provisions of the regulations contained in this part shall, to the extent possible, apply and be incorporated into the reservation to the Federal agency.

§ 2807.1-2 Reservation termination and suspension.

The authorized officer may suspend or terminate the reservation only in accordance with the terms and conditions of the reservation, or with the consent of the head of the department or agency holding the reservation.

2. The following are deleted: (a) Subpart 2811 of part 2810; (b) Subpart 2822 or part 2820; (c) Part 2840; (d) Part 2850; (e) Part 2860; (f) Part 2870; (g) Part 2890; (h) All appendices to group 2800.

Cecil D. Andrus,

Secretary of the Interior.

October 2, 1979.

[FR Doc. 79-31116 Filed 10-5-79; 8:45 am]

BILLING CODE 4310-34-M

Tuesday
October 9, 1979

Part VII

**Department of the
Interior**

Bureau of Land Management

**Management of Oil and Natural Gas
Pipelines and Related Facilities on
Federal Lands and Reimbursement of
Costs**

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2880

[Circular No. 2453]

Management of Oil and Natural Gas Pipelines and Related Facilities on Federal Lands and Reimbursement of Costs

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking establishes the procedure for the management of oil and natural gas pipelines and related facilities located on Federal lands. The management responsibility for oil and natural gas pipelines and related facilities is established by the provisions of section 28 of the Mineral Leasing Act, as amended.

DATE: Effective November 8, 1979.

ADDRESS: Director (650), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Orval L. Hadley, 202-343-5537 or Robert C. Bruce, 202-343-8735.

SUPPLEMENTARY INFORMATION: Proposed rulemaking was published in the Federal Register on March 2, 1978. Comments were invited for 60 days ending May 1, 1978. Comments were received from 60 different sources, with 6 coming from Federal agencies, 18 from various States, 34 from industrial sources and 2 from sources that were classified as miscellaneous because they did not fit any other category.

Generally, the comments recognized the need for the rulemaking and supported it on the basis that a lead agency role was needed in the granting of rights-of-way for oil and gas pipelines across Federal lands. Many of the comments of the States also expressed their strong desire to work with the Department in carrying out the rulemaking.

Several of the comments related to the definitions section. One comment questioned whether lands withdrawn for Alaska Natives are included within the definition of the term "Federal Lands" as it appeared in the proposed rulemaking. Since the rulemaking uses precisely the definition contained in section 28 of the Mineral Leasing Act, as amended, this definition has not been revised to cover this particular point and it is a point for legal interpretation at some later point.

It was pointed out in a comment that the term "temporary use permit" did not include pre-construction activities, one of the principal uses for a temporary use permit. Pre-construction activities are included within the scope of construction activities.

Another definition that was discussed in the comments was the term "pipeline". Objections were raised to the inclusion of gathering lines as part of the definition of "pipeline". Gathering lines were included in the definition because they are part of an oil and gas pipeline that section 28 of the Mineral Leasing Act gives the Secretary authority to include in the rights-of-way granted under the Act. Therefore, gathering lines have not been deleted from the definition of "pipeline". It is recognized that this new procedure is a departure from the past Departmental policy of including gathering lines on leases in the plan of operations on the lease. The term "gathering lines" was deleted from the definition of "related facilities" because its inclusion in that definition is a duplication. The term "pipeline" includes only those connected and contiguous pipelines.

The definition of "related facilities" was described as too restrictive by one of the comments. As stated earlier, the words "gathering lines" were deleted. The words "water and gas injection lines" were inserted as suggested in one of the comments. Further, a new sentence was added at the end of the definition that clarifies what is meant by "related facilities". The unconnected and noncontiguous provisions of section 28 of the Act apply only to related facilities.

Several comments questioned the definition of "right-of-way" in the rulemaking. After considering the comments, the term was redefined. The definition makes it clear that a right-of-way is only the land that is authorized to be used.

The definition of "right-of-way grant" was amended to make it clear that the grant is a document authorizing the right to use Federal lands for the purpose of the grant. Recommendations to delete the word "non-possessory" were not adopted since that is an accurate description of the interest received by the right-of-way holder.

One comment raised questions about the language in the Scope section of the rulemaking as it applies to single agencies within the Department of the Interior other than the Bureau of Land Management. As is stated in the Scope section, the rulemaking is applicable to those situations where the Federal lands covered by an application are under the jurisdiction of two or more Federal

agencies, including those in the Department of the Interior. When the Federal lands applied for are under the jurisdiction of a single Federal agency, including agencies in the Department of the Interior, the application will be filed with the agency having jurisdiction of the lands.

A new paragraph has been added to section 2880.0-7, the scope section. The paragraph states that the regulations in part 2880 do not apply to Federal departments and agencies. Rights-of-way for all Federal entities will be granted under the authority of title V of the Federal Land Policy and Management Act.

Several comments were received on the sections of the rulemaking dealing with the nature of interest. The concern mentioned most often in the comments on this section was that the rights of the holder were too limited. A specific comment asked that the use of the products of the land covered by the right-of-way grant be broadened. Section 2881.1-1(a) accurately describes the interest that will be granted by the right-of-way grant and the limitation on use of products of the land is in keeping with other permits to use Federal lands. Even though the changes suggested in comments were not made in this section, words were added to make it clear that all agents and servants of the holder are covered.

Section 2881.1, nature of interest, has been amended and reorganized to clarify the nature of interest conveyed by a right-of-way grant or temporary use permit.

Another area of high interest on the part of those commenting on § 2881.1-1 was in the width of the right-of-way and the centering of the pipe within the right-of-way. The suggestions were adopted and the section rewritten to make it agree with the language in section 28 of the Mineral Leasing Act, as amended.

The second sentence of § 2881.1-1(e) has been deleted. This sentence instructed the authorized officer on the term of right-of-way grant. This is an instruction that is not needed in the rulemaking but will appear in the Bureau of Land Management Manual.

A comment recommended that § 2881.1-1(f) be amended by deleting the word "project" and substituting the word "pipeline". This change makes the section clearer and has been adopted. To further clarify the authorized officer's authority with reference to the renewal of a right-of-way grant, a sentence has been added at the end of the section specifying such authority.

Changes have been made to clarify the meaning of § 2881.1-1(g).

A number of comments were made on § 2881.1-2(a) with special emphasis on the ability of the authorized officer to revoke a temporary use permit at will. This section has not been amended because the Act gives broad discretionary authority concerning temporary use permits.

Section 2881.1-2(c) has been amended to clarify the term of a temporary use permit. This change was made in response to the comments suggesting more certainty for temporary use permits. A few comments asked that the temporary use permit be made transferrable and that § 2881.1-2(e) be changed to provide for transfer. That change has been made because the term of a temporary use permit could be for as long as 3 years if circumstances warrant such a period. However, the area covered by the permit must continue to be used for the purposes set out in the permit.

The comment on § 2881.1-3 of the rulemaking requested an amendment to the rulemaking to limit the access to the right-of-way by the United States to reasonable access and to limit the authority of the United States to grant other rights on an existing right-of-way. The United States needs access to a right-of-way to check compliance with the terms and conditions and to be sure that the right-of-way holder has not unduly limited public access to the land covered by the right-of-way. The rulemaking makes it clear that the United States will not grant rights on the Federal lands covered by a right-of-way that are incompatible with the right-of-way grant.

Comments objected to the mandatory imposition of stipulations by § 2881.2(a). The requirement that the authorized officer impose stipulations in the four areas set out in (a) are the minimum requirements for stipulations but cover areas that are of over-riding importance. The language of § 2881.2(a) has been retained with the addition of the words "Federal or State law" at the end of § 2881.2(a)(2) to clarify that provision. One of the comments in this section requested that the subsistence portion be strengthened. The provision was restudied; the language gives the authorized officer all the authority he needs to protect subsistence rights through the imposition of stipulations.

Section 2881.2 was analyzed and a new paragraph added listing those terms and conditions that apply to every right-of-way grant or temporary use permit. These terms and conditions are automatically evoked when an applicant accepts a grant or permit.

Several comments express a belief that § 2881.2(b) imposed safety

requirements that went beyond those imposed by other Federal agencies under existing laws. In order to clarify this point, the section has been amended to make it clear that the safety requirements imposed by the section are those that comply with applicable Federal and State law. There is no intention to duplicate the work of the Office of Pipeline Safety of the Department of Transportation or of the agencies responsible for the safety of workers in the Department of Labor. However, safety standards required by agencies other than the Bureau of Land Management will be enforced for right-of-way grants and temporary use permits through terms and conditions in the grants and permits that will be administered by those agencies as the Secretary of the Interior is agreed upon.

Several comments pointed out that § 2881.3 was too broad in that it raises the implication that a holder must police his right-of-way in order to avoid unauthorized use. It was suggested that the word "knowingly" be inserted to make it clear that a right-of-way holder cannot give permission to another to use the right-of-way except in furtherance of the holder's use. Since the insertion of the word "knowingly" is in keeping with the intent of the section, the suggested change was adopted.

The only comment we received on § 2882.1 was an objection to the requirement for pre-construction activities, which are required. Pre-construction activities are included within the broad term construction activities. Section 2881.1(d) has been changed to carry forward this interpretation and also state that casual use of Federal lands can occur without a grant or permit. Casual use is use that does not disturb the surface or remove vegetation from the land.

The largest number of comments were on § 2882.2. One area raised was the question of citizenship set out in § 2882.2-1. The analysis of the comments and review of the language in the proposed rulemaking led to the conclusion that the language was not clear and the section dealing with citizenship has been completely rewritten and is much clearer.

A large number of comments were made about the sections that set out the requirements for the content of an application. Several comments made the point that it seemed inappropriate to require the same quantity of information for a short pipeline with little environmental impact as was required of a SOHIO Project or Northern Tier Project. This assessment is valid. The requirements sections have been completely rewritten outlining in one

part the information that is required with every application and setting out in another part those items that can be required by the authorized officer if he determines them to be needed. This breakdown will allow a differentiation between those projects that are major in nature and have major impacts and those that are not. Included in the rewrite are responses to a number of objections raised to § 2882.2 that dealt with specific points under other than quantity of material required.

One comment objected to the requirement for a temporary use permit for pre-construction activities. It is necessary for the land manager to know what activities are being conducted on public lands. Activities associated with a proposal, application or pipeline system construction can cause significant disturbance to the surface of the public lands and such activities need to be controlled if the public lands are to be protected. As in the right-of-way grant, the amount of information required for a temporary use permit will depend on the extent of the activity to be conducted on the public lands.

Section 2882.2-3 has been amended to provide the amended acceptable map standards and to set out the conditions under which the authorized officer will request the submission of a map.

Several comments objected to the requirement in § 2882.2 that information be furnished on facilities on non-Federal lands as part of the information required for a right-of-way or temporary use permit. This information is needed to allow the land manager to fully analyze the impact of the system on Federal lands. The location of a large facility on non-Federal lands at the time the application for a right-of-way grant is filed can indicate that there will be future needs for additional rights-of-way and the land manager can make his plans in light of that possible future need. There is no intent on the part of the Department to exercise control of facilities on non-Federal land, but it is important that the authorized officer have the needed information on facilities on non-Federal lands in order to properly protect the public lands and meet future demands for the public lands.

Section 2882.2-2, application filing, has been amended to give direction as to where an application for a right-of-way grant and temporary use permit should be filed. This section has been amended to include the requirement for filing an application for a renewal of a right-of-way grant or temporary use permit.

Section 2882.3 dealing with application processing drew a sizable

number of comments. Several comments quarreled with the notice provisions of the section. The first notice going to appropriate committees of Congress for a pipeline of 24 or more inches in diameter, is required by the authorizing statute. The other notification provisions are in response to a section of the authorizing legislation directing the establishment of procedures for giving the public adequate notice and an opportunity to comment on the right-of-way application. The requirements in the rulemaking meet the mandate of the Act.

One comment asked that a notice be sent to all Alaska Native villages and Indian tribal communities. All such entities that have general governmental functions will be notified. Any Alaska Native village or Indian tribal community not furnishing general governmental services would receive notice, as does the rest of the public, through publication.

A few comments questioned whether the written acceptance of the right-of-way grant constituted a contract that is binding on the permittee. After review, the language of that section has been amended by deleting the word "contract" and inserting in lieu thereof the word "agreement". With the change, the agreement is a document that is binding on the permittee who accepts its terms and conditions.

A number of comments questioned the Department's interpretation of the Act that allows the Secretary of the Interior to issue a right-of-way grant without the concurrence of the agency head having jurisdiction over the public lands included in the right-of-way grant. A study of the legislation and its history leads to the conclusion that the Congress intended for the Secretary of the Interior to have the authority to make the final decision on a right-of-way grant when there are conflicts between Federal agencies. The clear intent of the amendment to the Mineral Leasing Law of 1920 was to give lead agency authority to the Secretary of the Interior in those instances where pipelines crossed lands under the jurisdiction of two or more Federal agencies. Clearly, this covered not only the centralizing of the processing of applications, but also granting of authority to act to reconcile differences between the agencies. This authority will, in all probability, not be exercised very often and not without complete discussion with the affected agencies. With view of the legislation and its intent, no change has been made in the provision giving only the Secretary of the Interior, not the authorized officer of

the Director of the Bureau of Land Management, the authority to overrule the objections of the Federal agency having jurisdiction of the public lands covered by the right-of-way grant.

Many varied comments were received on the various parts of section 2883, with nothing being said about cost reimbursement. One comment on rental payments recommended a lump sum payment for several years of a right-of-way grant rather than on a year by year basis. The section accurately reflects the process used in the collection of rental for right-of-way and no change has been made. A change was made in § 2883.1-2 to reflect the minimum rental set out in § 2802.1-7 of title 43. Another comment on this section asked that it include language on how the rental is determined. This is procedure that is included in the appraisal process and is covered in Bureau of Land Management Manual.

There was one suggestion that provision be made in the bonding section for a general bond for several rights-of-way, presumably something like the nationwide or statewide bonding provisions in the oil and gas leasing regulations. It is not anticipated that there will be many situations where a company will be the permittee on several rights-of-way granted under this rulemaking. Thus the provisions of the section are adequate.

Several comments were offered on the liability section of the rulemaking. The section has been carefully studied and completely rewritten. The rewrite incorporated most of the points raised in the comments. Limitations on acts of war and negligence of the United States were brought to our attention and have been included. A few comments objected to the imposition of liability without fault. The Act gives us the authority to impose liability without fault. This has been done to protect the public lands from damage caused by users gaining benefits from such use.

Some comments raised objections to the common carrier provisions in § 2883.1-5. Analysis of the comments and the rulemaking disclosed that the rulemaking follows the requirements of the Act and adequate administrative safeguards are provided. Therefore, the section has not been changed.

A comment raised the question of what exceptions were referred to in § 2883.1-6, the section dealing with exports. The exceptions are certain oil exchanged with foreign persons or nations, and certain temporarily exported oil. The exceptions are mandated by the Act.

A couple of comments on § 2883.2 questioned the language requiring that

the authorized officer be notified of changes in the applicant's plans on the basis that the requirement was too broad and should be limited to notification only when the changes are material or substantial. The authorized officer needs to be told of changes when they take place. The immediate notification need be nothing more than a short letter or phone call setting out the change. It would then be up to the authorized officer to let the applicant know if additional information on the change were needed. The authorized officer needs to be informed of any change in application so that work on the application can be completed in any expeditious manner. A new paragraph has been added setting the requirement that a holder of a right-of-way grant or a temporary use permit must also notify the authorized officer of certain changes.

Section 2883.2(c) was amended to clarify that the holder of the right-of-way grant is responsible for amending his grant or permit if he proposes to change the route of the pipeline.

One comment suggested that the certificate of construction for a pipeline be limited to that portion of the pipeline on Federal lands. It is questionable whether the certificate and tests required by the section can be logically limited to only that portion of a pipeline located on Federal lands. If a pipeline is to operate properly, it must be complete in its entirety and meet all applicable requirements of Federal and State law. The section has not been amended.

Section 2883.5, dealing with immediate temporary suspension of activities, drew a number of comments. One comment that was adopted suggested that the word "tolerated" in § 2883.5(a) be changed to "authorized". This change is in keeping with the change made in § 2881.3 dealing with the applicant knowingly authorizing activities on the right-of-way. This section also brought forth a comment questioning the need for requiring the authorized officer to suspend activity. That section was changed to allow the authorized officer to suspend the activity, if he considers that action appropriate, and to order remedial action.

The typographical error in § 2883.5(b) was pointed out in several comments and has been corrected. One comment wanted the word "substantially" inserted before the word "comply" in § 2883.5(b)(1). This modification of the section is not needed and it has not been adopted. A final comment on this section requested a provision that would protect the holder of a right-of-way grant if he had not used the grant for two years for reasons beyond his

control. The section covers that possibility by providing for situations where the holder has "deliberately" failed to use the grant for the purpose for which it was issued. A showing by the holder that circumstances beyond his control prevented use of the grant would overcome the "deliberate" provision.

Written notice was called for in the comments on § 2883.6(c). It is agreed that written notice should be given and the section has been amended in that regard.

Section 2883.6 has been amended to clarify the procedure for filing an appeal of a decision for suspension or termination of a right-of-way grant or temporary use permit. Appeals of decisions affecting a right-of-way grant are filed with the Office of Hearings and Appeals for a hearing before an administrative law judge. Appeals of decisions affecting temporary use permits must first be filed with the next higher level of authority for review before they can be appealed to the Office of Hearings and Appeals under the provisions of 43 CFR Part 4.

The one comment received on § 2883.7 asked that the last sentence of paragraph (b) be deleted and a temporary use permit located on lands transferred out of Federal ownership be treated in the same way as it is handled in paragraph (a). As suggested by the comments, the last sentence has been deleted. A temporary use permit will be treated similarly to a right-of-way grant. The transfer of land with private ownership will be conditioned to provide for the continuance of the temporary use permit. However, a temporary use permit in such instances cannot be renewed upon the expiration of its term.

Several comments on § 2883.8 raised the point that the authorized officer should have discretion over whether improvements should or should not be removed from the right-of-way. It was quite properly pointed out that in some cases leaving the pipe in place would not cause any harm but that its removal could cause significant damage to the public lands. This suggestion has been adopted and made part of the rulemaking.

A comment on the appeals section requested that an expedited appeal procedure be provided for special cases such as the Alaska Gas Pipeline application. This suggestion was rejected. The Department's experience in the Alaska Pipeline project showed clearly that appeals can be expedited when needed.

Editorial changes and corrections have been made as necessary.

The principal authors of this final rulemaking are Bruce Conrad and Orval L. Hadley of the Bureau of Land Management, Division of Rights-of-Way and Projects Review, assisted by the staff of the Office of Legislation and Regulatory Management of the Bureau of Land Management and staff of the Office of the Solicitor of the Department of the Interior.

It is hereby determined that publication of this final rulemaking is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to section 102(2)(C) of the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)).

Note: The Department of the Interior has determined that this document is not a significant regulatory action requiring the preparation of a regulatory analysis under Executive Order 12044.

Under the authority of section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), it is proposed to amend Part 2880, Group 2800, subchapter B, Chapter II, Title 43 of the Code of Federal Regulations as set forth below.

Cecil D. Andrus,
Secretary of the Interior.

October 2, 1979.

1. Subpart 2882 is redesignated Subpart 2887, and is revised to read as follows:

Subpart 2887—Over Lands Subject to Mineral Lease

§ 2887.0-3 Authority.

Section 29 of the Act of February 25, 1920, as amended (30 U.S.C. 186), provides in part that any permit, lease, occupation or use permitted under that act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use, such easements or rights-of-way, including easements in tunnels upon, through or in the lands leased, occupied or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees or permittees, and for other public purposes. Application for such easements or rights-of-way shall be filed in accordance with applicable laws and regulations.

2. Subpart 2883 is redesignated Subpart 2888.

3. The heading to Part 2880 is revised and the following new Subparts 2880,

2881, 2882, 2883, and 2884 supersede existing Subpart 2881:

PART 2880—RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Subpart 2880—Oil and Natural Gas Pipelines and Related Facilities, General

Sec.

2880.0-3 Authority.

2880.0-5 Definitions.

2880.0-7 Scope.

Subpart 2881—Terms and Conditions of Right-of-Way Grants and Temporary Use Permits

2881.1 Nature of interest.

2881.1-1 Nature of right-of-way interest.

2881.1-2 Nature of temporary use permit interest.

2881.1-3 Reservation of rights to the United States.

2881.2 Terms and conditions of interest granted.

2881.3 Unauthorized occupancy.

Subpart 2882—Applications

2882.1 Pre-application activity.

2882.2 Requirements for applications for right-of-way grants and temporary use permits.

2882.2-1 Applicant qualifications and disclosure.

2882.2-2 Application filing.

2882.2-3 Application content.

2882.2-4 Other data that may be required.

2882.3 Application processing.

2882.4 Interagency agreements.

Subpart 2883—Administration of Rights Granted

2883.1 General requirements.

2883.1-1 Reimbursement of costs.

2883.1-2 Rental payments.

2883.1-3 Bonding.

2883.1-4 Liability.

2883.1-5 Common carrier.

2883.1-6 Export.

2883.2 Holder activity.

2883.3 Construction procedures.

2883.4 Operation and maintenance.

2883.5 Immediate temporary suspension of activities.

2883.6 Suspension and termination of right-of-way grants and temporary use permits.

2883.7 Change in Federal jurisdiction or disposal of lands.

2883.8 Restoration of Federal lands.

Subpart 2884—Appeals

2884.1 Appeals procedure.

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Subpart 2880—Oil and Natural Gas Pipelines and Related Facilities, General

§ 2880.0-3 Authority.

The provisions of this subpart are issued under the authority of Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), unless otherwise noted.

§ 2880.0-5 Definitions.

As used in this part, the term:

(a) "Act" means Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185).

(b) "Agency head" means the head of any Federal department or independent Federal office or agency, other than the Secretary of the Interior, who has jurisdiction over the surface of Federal lands.

(c) "Applicant" means any individual, partnership, corporation, association, or other business entity, or any State or local governmental entity or agency, which applies for a right-of-way grant or temporary use permit under the Act.

(d) "Authorized officer" means any employee of the department of the Interior to whom has been delegated the authority to perform the duties described in this part.

(e) "Federal lands" means all lands owned by the United States except lands in the National Park System, lands held in trust for an Indian or Indian tribe, and lands on the Outer Continental Shelf.

(f) "Holder" means any individual, partnership, corporation, association, or other business entity, or any State or local governmental entity or agency which has received a right-of-way grant or temporary use permit under the Act.

(g) "Oil or gas" means oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom.

(h) "Temporary use permit" means a revocable nonpossessory privilege to use specified Federal lands in the vicinity of a right-of-way in connection with the construction, operation, maintenance, or termination of a pipeline or for the protection of the natural environment or public safety.

(i) "Pipeline" means a line of pipe traversing Federal lands for transportation of oil or gas. The term includes trunk lines, gathering lines and related facilities.

(j) "Pipeline system" means all facilities, whether or not located on Federal lands, used by a holder in connection with the construction, operation, maintenance, or termination of a pipeline.

(k) "Related facilities" means those structures, devices, improvements, and sites, the substantially continuous use of which is necessary for the operation or maintenance of a pipeline, which are located on Federal lands, and which are authorized under the Act, including but not limited to: Supporting structures; airstrips; roads; campsites; water or gas injection lines; pump stations, including associated heliports, structures, yards, and fences; valves, and other control devices; surge and storage tanks;

bridges; monitoring and communication devices and structures housing them; terminals, including structures, yards, docks, fences, and storage tank facilities; retaining walls, berms, dikes, ditches, cuts, and fills; structures and areas for storing supplies and equipment. Related facilities may be connected or nonconnected or contiguous or noncontiguous to the pipe.

(l) "Right-of-way" means the Federal land authorized to be occupied pursuant to a right-of-way grant.

(m) "Right-of-way grant" means a document authorizing a nonpossessory, nonexclusive right to use Federal lands for the limited purpose of construction, operation, maintenance, and termination of a pipeline.

(n) "Secretary" means the Secretary of the Interior.

§ 2880.0-7 Scope.

(a) These regulations apply to any application now on file or hereafter filed with Federal agencies for issuance, modification, or renewal of a right-of-way grant or a temporary use permit, except where the surface of the Federal lands involved in the right-of-way or temporary use permit area is under the jurisdiction of a single Federal agency, including bureaus and agencies within the Department of the Interior, other than the Bureau of Land Management.

(b) In addition, the provisions of § 2883.5 of this title apply to all right-of-way grants and temporary use permits heretofore issued pursuant to section 28 of the Mineral Leasing Act by the Bureau of Land Management, and to permits, grants, and other authorizations heretofore issued by the Secretary or his delegate in connection with the Trans-Alaska Oil Pipeline System (TAPS).

(c) The regulations of this part do not apply to the reservation of rights-of-way for Federal departments or agencies. Such rights-of-way shall be reserved in accordance with the regulations in Subpart 2800 of this title.

Subpart 2881—Terms and Conditions of Right-of-Way Grants and Temporary Use Permits**§ 2881.1 Nature of Interest.****§ 2881.1-1 Nature of right-of-way interest.**

(a) The United States retains a right to use a right-of-way and temporary use permit area or authorize the use of it to others in any manner not inconsistent with pipeline construction, operation, maintenance, and termination. The holder of a right-of-way grant or temporary use permit has no right to any of the products of the land including, but not limited to, timber, forage, mineral, and animal resources. The holder may

not allow the use of a right-of-way or temporary use permit area by others except its contractors, subcontractors, employees, agents or servants for purposes of construction, operation, maintenance, or termination of the pipeline.

(b) A holder shall not use a right-of-way and temporary use permit area for any purpose other than for the construction, operation, maintenance, and termination of the pipeline specified in the holder's right-of-way grant. A holder shall not locate or construct any other pipelines, including looping lines, or other improvements within a right-of-way without first securing appropriate authorization therefor.

(c) The width of a right-of-way shall not exceed 50 feet plus the ground occupied by the pipeline (that is, the pipe and related facilities) unless the authorized officer finds and records the reasons for his finding, that a wider right-of-way is necessary for operation and maintenance after construction, or to protect the environment or public safety.

(d) An applicant may apply to the authorized officer for a wider right-of-way in limited areas, if necessary: (1) for the operation and maintenance of the project after construction; (2) to protect the environment; or (3) to provide for the public safety. If the authorized officer finds that the additional width is necessary for one of the above reasons, he may authorize a wider width. Such authorization shall include a written report recording the reasons why the additional width is necessary.

(e) A right-of-way grant issued or renewed under these regulations shall be limited to a reasonable term, not to exceed 30 years. No term shall be longer than is necessary to accomplish the purpose of the grant. The authorized officer shall determine the duration of each right-of-way grant, taking into consideration, among other things: (1) The cost of the facility, (2) its useful life, (3) any public purpose it serves, and (4) potentially conflicting uses of the land.

(f) Except where a right-of-way grant has terminated by its terms upon the occurrence of a fixed or agreed upon condition, event, or time, it shall be renewed if the pipeline is being operated and maintained in accordance with all provisions of the right-of-way grant, these regulations and the Act. The authorized officer may modify the terms and conditions of the right-of-way grant at the time of renewal.

(g) No purported transfer of an interest in a right-of-way grant, a right-of-way, or any portion of a pipeline system located within a right-of-way, shall be valid without the prior written

approval of the authorized officer. Applications for such approval shall be directed to the authorized officer. A transferee shall meet all the requirements of an original pipeline right-of-way grantee is bound by and shall assume all of the transferor's responsibility to the United States with respect to the transferred interest and shall agree to be bound by all terms of any outstanding right-of-way grant or temporary use permit. Applications for a transfer of interest shall be accompanied by a nonrefundable fee of \$50.

§ 2881.1-2 Nature of temporary use permit interest.

(a) A temporary use permit does not grant any interest in land and is revocable at will by the authorized officer.

(b) The area covered by a temporary use permit shall be no greater than is necessary to accommodate the authorized use or to protect the environment or provide for public safety.

(c) The duration of a temporary use permit shall be determined by the authorized officer in a manner that is consistent with construction activities, and is not to exceed that length of time needed to accomplish the purpose for which the permit is sought. The term of a temporary use permit shall not exceed 3 years subject to the provisions of § 2881.1-2 of this title.

(d) A temporary use permit may be renewed at the discretion of the authorized officer, but the permittee has no right of renewal. The authorized officer may modify the terms and conditions of the temporary use permit at the time of renewal.

(e) A temporary use permit may be assigned at the discretion of the authorized officer, provided the use for which the permit was issued continues.

§ 2881.1-3 Reservation of rights to the United States.

All rights in Federal lands subject to a right-of-way grant or temporary use permit not expressly granted are retained by the United States. These rights include, but are not limited to: (a) A continuing right of access across right-of-way and temporary use permit areas to all Federal lands (including the subsurface and air space); (b) a continuing right of physical entry to any part of the pipeline system for inspection, monitoring, or for any other purpose or reason consistent with any right or obligation of the United States under any law or regulation; and (c) the right to make, issue, or grant right-of-way grants, temporary use permits,

easements, leases, licenses, contracts, patents, permits and other authorizations to or with third parties for compatible uses on, under, above, or adjacent to the Federal lands subject to a right-of-way grant or temporary use permit.

§ 2881.2 Terms and conditions of interest granted.

(a) An applicant, by accepting a right-of-way grant or a temporary use permit, agrees and consents to comply with and be bound by the following terms and conditions, excepting those which the Secretary may waive in a particular case:

(1) To the extent practicable, all State and Federal laws applicable to the pipeline system construction, operation and maintenance which is authorized and all such additional State and Federal law, along with the implementing regulations, that may be enacted and issued during the term of the grant or permit;

(2) That the pipeline and related facilities be subject to the express covenant that they will be modified, adapted or discontinued within the provisions of the Act and without liability to the United States, if found by the Secretary that the use of the land for pipeline and related facility purposes conflicts with any future proposed use or occupancy of the land when it is determined that the proposal will better serve the national interest;

(3) That in the construction, operation and maintenance of the pipeline and related facilities, there shall be no discrimination against any employee or applicant for employment because of race, creed, color, sex or national origin and all subcontracts shall include an identical provision;

(4) To build and repair roads, fences and trails that may be destroyed or damaged by construction, operation or maintenance of the pipeline and related facilities and to build and maintain suitable crossings for roads and trails that intersect the right-of-way and related facilities; and

(5) To do everything reasonably within his or her power, both independently and upon request of the authorized officer, to prevent and suppress fires on or near the right-of-way and related facilities. This includes making available such construction and maintenance forces as may be reasonably obtained for the suppression of fires.

(b) All right-of-way grants and temporary use permits issued, renewed, or amended under these regulations shall contain such terms, conditions, and stipulations as may be prescribed by the

authorized officer regarding extent, duration, survey, location, construction, operation, maintenance, use, and termination. The authorized officer shall impose stipulations which shall include, but shall not be limited to: (1) requirements for restoration, revegetation, and curtailment of erosion of the surface of the land; (2) requirements to insure that activities in connection with the right-of-way grant or temporary use permit shall not violate applicable air and water quality standards or related facility siting standards established by or pursuant to applicable Federal and State law; (3) requirements designed to control or prevent damage to the environment (including damage to fish and wildlife habitat), damage to public or private property, and hazards to public health and safety; and (4) requirements to protect the interests of individuals living in the general vicinity of the right-of-way or temporary use permit area who rely on the fish, wildlife, and biotic resources of the area for subsistence purposes.

(c) Right-of-way grants or temporary use permits issued, renewed, or amended under this title shall include requirements which comply with applicable Federal and State law that will protect the safety and health of pipeline workers and the general public, including, but not limited to, protection against the sudden rupture and slow degradation of the pipeline. Applicants and holders shall design, construct, operate, and maintain all facilities in accordance with applicable Federal and State law governing pipelines and pipeline construction.

§ 2881.3 Unauthorized occupancy.

No holder of a right-of-way grant or temporary use permit shall use or knowingly allow any other person to use the right-of-way or temporary use permit area for any purpose not authorized by the right-of-way grant or temporary use permit. Any person occupying or using Federal lands without authorization may be subject to prosecution under applicable law.

Subpart 2882—Applications

§ 2882.1 Pre-application activity.

(a) Upon determining that a proposed pipeline project is contemplated which would cross Federal lands under the jurisdiction of the Department of the Interior, or 2 or more Federal agencies, the proponent of such project is encouraged to promptly notify the appropriate office identified in § 2882.2-2 of this title or the Secretary.

(b) The authorized officer shall provide guidance to the pipeline project proponent as to: (1) routing constraints which exist because of current land status as reflected in land use plans and land status records; (2) necessary information to be included in applications for right-of-way grants or temporary use permits; (3) qualifications required of applicants; and (4) identification of on-the-ground investigations which will require temporary use permits.

(c) No work of any kind in connection with a right-of-way proposal, other than that incurred in the processing of temporary use permits under paragraph (d) of this section shall be undertaken by the authorized officer prior to the filing of an acceptable application together with advance payment as required by § 2802.1-2 of this title. The work that shall not be done includes, but is not limited to, special studies such as environmental analyses, environmental impact statements, engineering surveys, resource inventories, and detailed land record analyses.

(d) No activities, other than casual use, such as, but not limited to, vehicle use on existing roads, sampling, marking of routes, searching, or other similar activities that do not disturb the surface of the lands or require the removal of vegetation, shall be conducted on Federal lands prior to the issuance of a right-of-way grant or a temporary use permit.

§ 2882.2 Requirements for applications for right-of-way grants and temporary use permits.

§ 2882.2-1 Applicant qualifications.

(a) An applicant for a right-of-way grant or temporary use permit shall be a citizen of the United States, an association of such citizens, a corporation organized under the laws of the United States, or of any State thereof, or a State or local government. Aliens may not acquire or hold any direct or indirect interest in rights-of-way, right-of-way grants or temporary use permits, except that they may own or control stock in corporations holding rights-of-way, right-of-way grants or temporary use permits if the laws of their country do not deny similar or like privileges to citizens of the United States. If any appreciable percentage of the stock of a corporation is held by aliens who are citizens of a country denying similar or like privileges to the United States citizens, its application shall be denied. A right-of-way shall not be granted to a minor, but a right-of-way

may be granted to legal guardians or trustees of minors in their behalf.

(b) An application by a private corporation shall be accompanied by a copy of its charter or articles of incorporation, duly certified by the proper State official where the corporation was organized and a copy of its bylaws, duly certified by the secretary of the corporation.

(c) A corporation, other than a private corporation, shall file a copy of the law under which it was formed and provide a proof of organization under the same, and a copy of its bylaws, duly certified by the secretary of the corporation.

(d) When a corporation is doing business in a State other than that in which it is incorporated, it shall submit a certificate from the Secretary of State or other proper official of that State indicating that it has complied with the laws of the State governing foreign corporations to the extent required to entitle the company to operate in such State, and that the corporation is in good standing under the laws of that State.

(e) A copy of the resolution by the directors of the corporation or other documents authorizing the filing of the application shall also be filed.

(f) If the corporation has previously filed with the Department the papers required by this subsection, the requirements shall be held to be met if, in making subsequent applications, specific references are made to such previous filing by date, place, and case number, and if there have not been any amendments or revisions of the corporation's charter, articles of incorporation, or bylaws.

(g) If the applicant is a partnership, association, or other unincorporated entity, the application shall be accompanied by a certified copy of the articles of association or other similar document creating the entity, if any. The application shall be signed by each partner or member of the entity, and each shall furnish the evidence of qualification which would be required if the partner or member were applying separately.

(h) If the applicant is a State or local government, or agency or instrumentality thereof, the application shall be accompanied by a statement to the effect and a copy of the law, resolution, order, or other authorization under which the application is made.

(i) Each application by a partnership, corporation, association, or other business entity shall disclose the identity of the participants in the entity and shall include where applicable: (1) The name, address, and citizenship of each participant (partner, associate or other); (2) where the applicant is a

corporation, the name, address, and citizenship of each shareholder owning 3-percent or more of each class of shares, together with the number and percentage of any class of voting shares of the entity which each shareholder is authorized to vote; and (3) the name and address of each affiliate controlled by, or that controls, the entity, either directly or indirectly. Where an affiliate is controlled by the entity, the application shall disclose the number of shares and the percentage of each class of voting stock of that affiliate owned, directly or indirectly, by the entity. If an affiliate controls the entity, the number of shares and the percentage of each class of voting stock of the entity owned, directly or indirectly, by the affiliate shall be included. In the case of an affiliate that directly or indirectly controls the entity, the application shall include the name and address of each participant (partner, associate, or other) in the affiliate or, if the affiliate is a corporation, the name, address and citizenship of each shareholder owning 3 percent or more of all shares together with the number and percentage of each class of voting shares of the entity which each shareholder is entitled to vote.

(j) Applications filed with Federal agencies, such as the Federal Energy Regulatory Commission, to obtain a license, certificate or other authority for a project involving a right-of-way over, upon, under or through Federal lands for an oil and gas pipeline shall be simultaneously filed with the Bureau of Land Management in accordance with the provisions of § 2882.2-3 of this title.

(k) The application shall include facts and attached supporting documents which demonstrate the applicant has the technical and financial capability to construct, operate, maintain and terminate the pipeline for which the right-of-way grant or temporary use permit is requested.

(l) If there are any related right-of-way grant or temporary use permit applications pending, or if the applicant's plans include applications for additional pipeline right-of-way grants or temporary use permits, the application for a right-of-way grant or temporary use permit shall so indicate and refer to any previous applications.

§ 2882.2-2 Application filing.

(a) Where the Federal lands involved are under the jurisdiction of the Bureau of Land Management, Department of the Interior, application for a right-of-way grant or temporary use permit or renewal of either shall be filed with any State Office of the Bureau of Land Management that has jurisdiction over the Federal lands involved.

(b) Where the Federal lands involved are under the jurisdiction of two or more agencies of the Department of the Interior, or where the Federal lands involved are under the jurisdiction of one or more agencies of the Department of the Interior and one or more other Federal agencies, or where the Federal lands involved are under the jurisdiction of two or more non-Interior agencies, the initial application for a right-of-way grant or temporary use permit may be filed at the most convenient State Office of the Bureau of Land Management, at locations listed in § 1821.2-1 of this title. The Director, Bureau of Land Management will, upon notice of the application by field officials, assign a lead official and notify the applicant where all future communications concerning the project should be directed. All applications for temporary use permits that are filed subsequent to the filing of an application for a right-of-way grant shall be filed with the lead official. Applications for renewal of a right-of-way grant or temporary use permit shall be filed with the lead official.

(c) Where the Federal lands involved are under the jurisdiction of but one Federal agency, including bureaus and agencies within the Department of the Interior other than the Bureau of Land Management, applications for a right-of-way grant or temporary use permit or renewal of either shall be directed to that agency.

§ 2882.2-3 Application content.

(a) Applications for right-of-way grants and temporary use permits shall be filed in a format approved by the Director or appropriate agency head, shall be legible, and shall include the information required by § 2882.22-1 of this title and other information as follows:

(1) The name and legal mailing address of the applicant and, if the applicant is not an individual, the name and legal mailing address of the applicant's agent who is authorized to receive notice of actions pertaining to the application.

(2) A description of the proposed pipeline system, including elements of the project which may be constructed on non-Federal lands. The description shall be in sufficient detail to enable the authorized officer to determine the feasibility of the pipeline, the benefits to the public from the proposed pipeline, the pipeline safeguards, the environmental impacts and whether the proposal complies with these regulations and the Act.

(3) A description of all Federal lands which would be involved in the pipeline

system, with a statement identifying the Federal agencies concerned.

§ 2882.2-4 Other data that may be required.

(a) The authorized officer may require additional information necessary to prepare environmental assessments and/or other documents he may require relating to the construction, operation, maintenance, and termination phases of the proposed pipeline system, including, but not limited to:

- (1) The effect on soils and mineral resources;
- (2) The effect on air quality;
- (3) The effect on water quality;
- (4) Damages to or changes in vegetation;
- (5) Changes in fish and wildlife habitat;
- (6) The risk of hazards to public health and safety;
- (7) The effect of the proposed pipeline on individuals living in its general vicinity who rely on the fish, wildlife, and biotic resources of the area for subsistence purposes;
- (8) The impacts on archeological, paleontological and historical resources;
- (9) The impacts on visual resources;
- (10) Alternative pipeline route locations.

(b) If the proposed right-of-way or temporary use permit area is within a Federal reservation, the applicant shall submit additional data as required by the authorized officer to assist the Secretary in determining whether the right-of-way grant or temporary use permit would be inconsistent with the purposes of the reservation.

(c) The authorized officer shall require plans for construction, operation, maintenance and termination of the pipeline system. The plans may include, but not be limited to the following data:

- (1) Plans and schedules for construction of all pipeline facilities and estimated construction costs.
- (2) Plans for the protection of the environment during construction, operation, maintenance and termination of the pipeline.
- (3) Plans for emergency repair of any rupture during operation, containment of effluent and restoration of damage.

(d) The authorized officer shall require the submission of a map of the pipeline either with an application, prior to issuance of a right-of-way grant or within 60 days after completion of construction. An application may be processed before a map is submitted.

(e) The authorized officer shall require the submission of a map of the area to be used with an application for a temporary use permit. The authorized officer may impose the map standards

set out in § 2882.3-3 of this title for temporary use permits when it is determined to be necessary by the authorized officer.

(f) Maps portraying linear rights-of-way shall, as a minimum, show the following data:

(1) The bearing and distance of the traverse line or the true centerline of the constructed facility.

(2) At least one tie to a public land survey monument, either at the beginning or ending point of the pipeline or related facility on Federal lands. If a public land survey monument is not within a reasonable distance, as determined by the authorized officer, either a relatively permanent man-made structure or monument or a prominent natural feature shall be used.

(3) A tie as provided in paragraph (f)(2) of this section shall occur for each entry upon or exit from Federal lands unless the map shows a continuous location of the pipeline or related facility from the initial entry upon or the final exit from Federal lands.

(4) The exterior limits of the right-of-way or temporary use permit area referenced in distance from the centerline of the pipeline or related facility.

(5) All 40 acre subdivisions or larger areas of each section within which the right-of-way or temporary use area occurs shall be listed by section, township and range.

(6) The scale of the map shall be shown along with a north arrow. The map scale shall be such that all of the required information is legible.

(g) A map portraying non-linear or site-type rights-of-way or temporary use areas shall include, at a minimum, the requirements of paragraph (f)(6) of this section and the following unless waived by the authorized officer:

(1) The bearing and distance of each exterior side of the site.

(2) At least one angle point of the location shall be tied to a public land survey monument as provided in paragraph (f)(2) of this section.

§ 2882.3 Application processing.

(a) The Secretary shall notify the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources promptly upon receipt of an application for a right-of-way grant for a pipeline 24 inches or more in diameter and no right-of-way grant for such a pipeline shall be issued until 60 days (not counting days on which the House of Representatives or the Senate has adjourned for more than 3 days) after a notice of intention to issue the right-of-way grant, together with the authorized

officer's detailed findings as to terms and conditions he proposes to impose, has been submitted to such committees, unless each committee by resolution waives the waiting period.

(b) Upon receipt of an application for a right-of-way grant, the authorized officer shall publish a notice of the application in the Federal Register and an announcement in a newspaper or newspapers having general circulation in the vicinity of the Federal lands affected, or, if in the opinion of the authorized officer, the pipeline impacts are of a minor nature, the notice of application may be waived or published only in a newspaper having general circulation in the area or areas in the vicinity of the affected Federal lands. The notice shall contain a description of the pipeline systems as required in §§ 2882.2-3(a) (2) and (3) of this title, together with such other information as the authorized officer considers pertinent. The notice shall state where the application and related documents are available for interested persons to review. Copies of the notice shall be sent to the Governor of each State within which the pipeline system may be located, the head of each local government or jurisdiction within which the pipeline system may be located, and each agency head, for review and comment.

(c) Where an application for a right-of-way grant or temporary use permit is incomplete or not in conformity with the Act or these regulations, the authorized officer may reject the application or notify the applicant of the deficiencies and afford the applicant an opportunity to file corrections. Where deficiency notices have not been adequately complied with, the authorized officer may reject the application or notify the applicant of the continuing deficiencies and afford the applicant an opportunity to file corrections.

(d) The authorized officer may require the applicant for a right-of-way grant or temporary use permit to submit such additional information as he deems necessary for review of the application.

(e) An application for a right-of-way grant or temporary use permit which meets the requirements of the Act and of these regulations entitles the applicant only to full review of the application. Such application may be denied if the authorized officer determines that the right-of-way or use applied for would be inconsistent with the purpose to which the Federal lands involved have been committed, or would otherwise not be in the public interest.

(f) The authorized officer shall hold public meetings or hearings on an application for a right-of-way grant or

temporary use permit if he determines that such hearings or meetings are appropriate and sufficient public interest exists to warrant the time and expense of such meetings or hearings. Notice of any such meetings or hearings shall be published in the Federal Register and in local newspapers.

(g) If the application involves a right-of-way through Federal lands under the jurisdiction of two or more Federal agencies, the authorized officer shall refer the application to the agency heads for consultation and other appropriate actions.

(h) The authorized officer shall consult with other agencies as to any additional information which should be required from the applicant, conditions or stipulations which should be imposed, and whether the right-of-way grant or temporary use permit should be issued.

(i) No right-of-way grant or temporary use permit over Federal lands under the jurisdiction of two or more Federal agencies and not within the jurisdiction of the agency by which the authorized officer is employed shall be issued or renewed by the authorized officer without the concurrence of the head of the agency administering such Federal lands or his authorized representative.

(j) Where the surface of the Federal lands involved is administered by the Secretary or by two or more Federal agencies, the Secretary may, after consultation with the non-Interior agencies involved, grant or renew a right-of-way or temporary use permit through the Federal lands involved, with or without the concurrence of the heads of the agencies administering such Federal lands. A right-of-way through a Federal reservation shall not be granted if the Secretary determines that it would be inconsistent with the purposes of the reservation.

(k) A right-of-way grant or temporary use permit need not conform to the applicant's proposal, but may contain such modifications, terms, stipulations or conditions including changes in route or site location as the authorized officer considers appropriate.

(l) No right-of-way grant or temporary use permit shall be considered as being in effect until the applicant has accepted its terms, in writing. Written acceptance shall constitute an agreement between an applicant and the United States that, in consideration of the right to use Federal lands, the applicant shall abide by all terms and conditions contained therein and the provisions of applicable laws and regulations.

(m) At the discretion of the authorized officer, a provision may be placed in a right-of-way grant or temporary use

permit requiring that no construction or use shall occur until detailed construction or use plans have been submitted to the authorized officer and a notice to proceed has been issued. This requirement may apply to the entire pipeline or segments thereof.

§ 2882.4 Interagency agreements.

The authorized officer may enter into interagency cooperative agreements with the other Federal agencies having jurisdiction over the Federal lands involved in right-of-way grants or temporary use permits applied for and issued under this part.

Subpart 2883—Administration of Rights Granted

§ 2883.1 General requirements.

§ 2883.1-1 Reimbursement of costs.

Reimbursement of costs for application processing and administration of right-of-way grants and temporary use permits shall be made in accordance with § 2802.1-2 of this title.

§ 2883.1-2 Rental payments.

Except as provided in § 2802.1-7(b) of this title, holders of right-of-way grants and temporary use permits shall pay annually, in advance the fair market rental value of the right-of-way or temporary use permit area as determined by the authorized officer.

§ 2883.1-3 Bonding.

The authorized officer may require a holder of a right-of-way grant or temporary use permit to furnish a bond, or other security satisfactory to him, to secure all or any of the obligations imposed by the right-of-way grant and temporary use permits and applicable laws and regulations.

§ 2883.1-4 Liability.

(a) Except as provided in paragraph (f) of this section holders shall be fully liable to the United States for any damage or injury incurred by the United States in connection with the use and occupancy of the right-of-way or permit area.

(b) Except as provided in paragraph (f) of this section, holders shall be held to a standard of strict liability for any activity within a right-of-way or permit area which the authorized officer determines, in his discretion, presents a foreseeable hazard or risk of damage or injury to the United States. The activities and facilities to which such standard shall apply shall be specified in the right-of-way grant or temporary use permit. Strict liability shall not be imposed for damage or injury resulting

primarily from an act of war or the negligence of the United States. To the extent consistent with other laws, strict liability shall extend to costs incurred by the United States for control and abatement of conditions, such as fire or oil spills, which threaten lives, property or the environment, regardless of whether the threat occurs on areas that are under Federal jurisdiction. Stipulations in right-of-way grants and temporary use permits imposing strict liability shall specify a maximum limitation on damages which, in the judgment of the authorized officer, is commensurate with the foreseeable risks or hazards presented. The maximum limitation shall not exceed \$1,000,000 for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

(c) In any case where strict liability is imposed and the damage or injury was caused by a third party, the rules of subrogation shall apply in accordance with the law of the jurisdiction in which the damage or injury occurred.

(d) Except as provided in paragraph (f) of this section, holders shall be fully liable for injuries or damages to third parties resulting from activities or facilities on lands under Federal jurisdiction, in accordance with the law of the jurisdiction in which the damage or injury occurred.

(e) Except as provided in paragraph (f) of this section, holders shall fully indemnify or hold harmless the United States for liability, damage or claims arising in connection with the use and occupancy of right-of-way or permit areas.

(f) If a holder is a State or local government, or agency or instrumentality thereof, it shall be liable to the fullest extent its laws allow at the time it is granted a right-of-way grant or temporary use permit. To the extent such a holder does not have the power to assume liability, it shall be required to repair damage or make restitution to the fullest extent of its powers at the time of any damage or injury.

(g) All owners of any interest in, and all affiliates or subsidiaries of any holder of a right-of-way grant or temporary use permit, except for corporate stockholders, shall be jointly and severally liable to the United States in the event that a claim cannot be satisfied by a holder.

(h) Except as otherwise expressly provided in this section, the provisions in this section for a remedy is not intended to limit or exclude any other remedy.

(i) If the right-of-way grant or temporary use permit is issued to more than one holder, they shall be jointly and severally liable under this section.

§ 2883.1-5 Common carriers.

(a) Pipelines shall be constructed, operated, and maintained as common carriers. The owners or operators of pipelines shall accept, convey, transport, or purchase without discrimination all oil or gas delivered to the pipeline without regard to whether such oil or gas was produced on Federal or non-Federal lands. In the case of oil or gas produced from Federal lands or from the resources on the Federal lands in the vicinity of the pipeline, the Secretary may, after a full hearing with due notice thereof to interested parties and a proper finding of facts, determine the proportionate amounts to be accepted, conveyed, transported, or purchased.

(b) The common carrier provisions of this section shall not apply to any natural gas pipeline operated by any person subject to regulation under the Natural Gas Act or by any public utility subject to regulation by a State or municipal regulatory agency having jurisdiction to regulate the rates and charges for the sale of natural gas to consumers within the State or municipality. Where natural gas not subject to State regulatory or conservation laws governing its purchase by pipeline companies is offered for sale, each pipeline company shall purchase, without discrimination, any such natural gas produced in the vicinity of the pipeline.

(c) The authorized officer shall require, prior to issuing or renewing a right-of-way grant, that the applicant submit and disclose all plans, contracts, agreements, or other information or material which the authorized officer considers necessary to determine whether a right-of-way grant shall be issued or renewed and the terms and conditions which should be included in the grant. Such information may include, but is not limited to:

(1) Conditions for, and agreements among, owners or operators regarding the addition of pumping facilities, looping, or otherwise increasing the pipeline or terminal's throughput capacity in response to actual or anticipated increases in demand;

(2) Conditions for adding or abandoning intake, offtake, or storage points or facilities; and

(3) Minimum shipment or purchase tenders.

§ 2883.1-6 Export.

With certain exceptions, domestically produced crude oil transported through

a pipeline is subject to the provisions of Section 28(u) of the Mineral Leasing Act of 1920 as amended (30 U.S.C. 185); and the Export Administration Act of 1969 as amended (50 U.S.C. 2401), and may not be exported without Presidential and congressional approval.

§ 2883.2 Holder activity.

(a) The actions of holders of right-of-way grants or temporary use permits shall be regulated by the appropriate agency head having jurisdiction over the Federal lands involved, unless other arrangements are agreed to by the authorized officer and agency head.

(b) An applicant shall promptly notify the authorized officer of any changes in its plans, financial condition, or other factors relevant to the application, and shall modify the application promptly to reflect any such changes. If the requirements of this subsection are not complied with in the opinion of the authorized officer, the application may be rejected.

(c) The holder shall at all times keep the authorized officer informed of his or her address, and in the case of a corporation, of the address of its principle place of business and the names and addresses of its principle officers.

(d) Any proposed change in the route of the pipeline or change in the use of Federal lands under the Act will require an amended or new right-of-way grant or temporary use permit from the authorized officer. Any unauthorized activity may be subject to prosecution under applicable laws.

(e) Holders of pipeline right-of-way grants issued before November 16, 1973, must apply under the Act and these regulations for modifications of the route or change in the use of Federal lands in connection with such right-of-way.

(f) The authorized officer may ratify or confirm a right-of-way grant or temporary use permit that was issued under any provision of law if the right-of-way grant or temporary use permit is modified to comply with the provisions of the Act and regulations. Such modifications are subject to the joint approval of the right-of-way holder and the authorized officer.

§ 2883.3 Construction procedures.

(a) Unless otherwise stated in the right-of-way grant or temporary use permit, construction may proceed immediately after delivery to the authorized officer of the applicant's written acceptance of the right-of-way grant or temporary use permit.

(b) If a notice to proceed requirement has been imposed under § 2882.3(m) of

this title, the holder shall initiate no construction, occupancy, or use until the authorized officer issues an appropriate notice to proceed.

§ 2883.4 Operation and maintenance.

Prior to the beginning of pipeline operations, the holder shall submit to the authorized officer a certification of construction, verifying that the pipeline system has been constructed and tested in accordance with the terms of the right-of-way grant, and in compliance with any required plans and specifications, and applicable Federal and State laws and regulations.

§ 2883.5 Immediate temporary suspension of activities.

(a) If the authorized officer determines that any activity being conducted or authorized by a holder within a right-of-way or temporary use permit area is endangering public health or safety or the environment, he may order the immediate suspension of that activity and immediate remedial action.

(b) The authorized officer may order immediate suspension of an activity irrespective of any action that has been or is being taken by another Federal agency or a State agency.

(c) The authorized officer may give an immediate suspension order orally or in writing at the site of the activity to the holder or a contractor or subcontractor of the holder, or to any representative, agent, employee, or contractor of any of them, and the suspended activity shall cease at that time. As soon as practicable, the authorized officer shall confirm the order by a written notice to the holder addressed to the holder or the holder's designated agent.

(d) An order of temporary suspension of activities shall remain effective until the authorized officer issues an order permitting resumption of activities.

(e) Any time after an order of suspension has been issued, the holder may file with the authorized officer a request for permission to resume. The request shall be in writing and shall contain a statement of the facts supporting the request.

(f) The authorized officer may render an order to either grant or deny the request to resume 5 working days of the date the request is filed. If the authorized officer does not render an order on the request within 5 working days, the request shall be considered denied, and the holder shall have the same right to appeal the denial as if an order denying the request had been issued.

§ 2883.6 Suspension and termination of right-of-way grants and temporary use permits.

If the right-of-way grant or temporary use permit provides by its terms that it shall terminate on the occurrence of a fixed or agreed-upon condition or event, the right-of-way grant or temporary use permit shall thereupon automatically terminate by operation of law, unless some other procedure is specified in the right-of-way grant or temporary use permit.

§ 2883.6-1 Suspension and termination of right-of-way grants.

(a) The authorized officer may institute procedures for suspension or termination of a right-of-way grant if it is determined that:

(1) The holder is unwilling, unable or has failed to comply with any term, condition, or stipulation of the right-of-way grant or applicable laws or regulations.

(b) The holder has deliberately failed to use the right-of-way for the purpose for which it was granted or renewed for a continuous 2-year period.

(c) Where the authorized officer determines that a situation under § 2883.6 or § 2883.6-1 of this title exists in connection with a right-of-way grant, he or she shall give written notice to the holder, and refer the matter to the Office of Hearings and Appeals for a hearing before an Administrative Law Judge pursuant to 43 CFR Part 4. The authorized officer shall suspend or terminate the right-of-way grant if the Administrative Law Judge determines that grounds for suspension or termination exists and that such action is justified.

§ 2883.6-2 Suspension and termination of temporary permits.

(a) The authorized officer may institute procedures for suspension or termination of a temporary use permit if it is determined that:

(1) The holder has failed to comply with any term, condition or stipulation of the permit or applicable laws or regulations; or

(2) The holder has deliberately failed to use the temporary use permit area for the purpose for which it was issued or renewed;

(b) Where the authorized officer determines that a situation under § 2883.6 or § 2883.6-2 of this title exists, he or she shall give written notice to the holder. The holder may file a written request for review of the notice to the next higher level of authority. The reviewing official shall, within 10 days of or receipt of such a request, arrange for a review of the activities that

prompted the suspension or termination notice. The reviewing official shall, within a reasonable time, affirm, modify or cancel the notice and shall provide the holder with a written determination.

(c) A holder may appeal a decision issued under paragraph (b) of this section pursuant to 43 CFR Part 4.

§ 2883.7 Change in Federal jurisdiction or disposal of lands.

(a) Where a right-of-way administered under these regulations traverses Federal lands that are transferred from one Federal Agency to another, the transfer shall not operate to terminate or modify the right-of-way or the right-of-way grant, unless otherwise provided by law. The Secretary shall continue to administer the right-of-way and the right-of-way grant, including renewals thereof, and collection of rentals and other payments, unless the transfer instrument provides otherwise. Temporary use permits shall likewise continue under the Secretary's administration, except where otherwise provided by law or by the instrument of transfer.

(b) Where a right-of-way administered under these regulations traverses Federal lands that are transferred out of Federal ownership, the transfer shall not operate to terminate or modify the right-of-way grant and temporary use permit(s) unless otherwise provided by law. The new owner of the lands shall take title thereto subject to the right-of-way grant and temporary use permit(s). Unless otherwise provided by law or by the instrument of transfer, the Secretary shall continue to administer the right-of-way and the right-of-way grant and temporary use permit(s) including renewals thereof and collection of rentals and other payments. Temporary use permits are not renewable after such a transfer.

§ 2883.8 Restoration of Federal lands.

(a) Upon termination of a right-of-way grant or temporary use permit and in the absence of any agreement to the contrary, if all moneys due the Federal Government thereunder have been paid, the holder of the right-of-way grant or temporary use permit may be required to remove the improvements from the right-of-way or temporary use permit area. The holder shall be allowed 6 months or such additional time as may be granted in which to remove from the right-of-way or temporary use permit area all property or improvements of any kind placed thereon; but if not removed within the time allowed, all such property and improvements may be removed and disposed of by sale or otherwise by the authorized officer at

the holder's sole expense. The holder of the right-of-way grant or temporary use permit shall be liable for all costs incurred by the United States to dismantle and/or remove the property and improvements from Federal lands and to restore the Federal lands to a condition acceptable to the authorized officer.

(b) Upon termination of a right-of-way grant or temporary use permit by expiration or by cancellation, the holder shall restore the Federal lands to a condition satisfactory to the authorized officer. The bond or other security shall not be released by the authorized officer until he determines that there has been satisfactory compliance with this obligation.

Subpart 2884—Appeals

§ 2884.1 Appeals procedure.

(a) All appeals under this part from any final decision of the authorized officer shall be taken in accordance with Part 4 of 43 CFR to the Office of the Secretary, Board of Land Appeals.

(b) All actions taken under this part shall remain effective pending any appeal taken unless the Secretary rules otherwise, and the provisions of 43 CFR 4.21(a) shall not apply to such appeals.

§ 2802.1-2 [Amended]

4. Section 2802.1-2(a)(11) and (12) of Subpart 2802 of this title are hereby deleted.

(30 U.S.C. 185)

[FR Doc. 79-31142 Filed 10-5-79; 8:45 am]

BILLING CODE 4310-84-M

Tuesday
October 9, 1979

Part VIII

**Federal Election
Commission**

**Public Records; Indexes to Statements
and Report**

FEDERAL ELECTION COMMISSION

[Notice 1979-16]

Public Records; Indexes to Statements and Reports

The Federal Election Commission today reminds the public of the availability of its indexes and cross-references to statements and reports filed under the Federal Election Campaign Act of 1971, as amended. These indexes include statements and reports filed for the period April 7, 1972 to the present, from candidates for the federal offices of President, Vice President, U.S. Senator and U.S. Representative, and their supporting political committees, organizations and individuals. These documents may have been filed with the Commission or any of the former Supervisory Officers: the Clerk of the U.S. House of Representatives, the Secretary of the U.S. Senate, or the Comptroller General of the U.S.

The Federal Election Commission is required by 2 U.S.C. Section 438(a)(6) ". . . to compile and maintain a cumulative index of reports and statements filed with it, which shall be published in the Federal Register at regular intervals and which shall be available for purchase directly or by mail for a reasonable price." This Notice of Availability of Indexes is published to meet the requirement.

Dated: October 3, 1979.

Robert O. Tiernan,
Chairman, for the Federal Election Commission.

Summary

The campaign finance laws passed in 1971, 1974 and 1976 require detailed campaign finance reports on contributions and expenditures from candidates for federal office (President, Vice President, U.S. Senator, U.S. Representative) and their supporting political committees. As a result, over 250,000 reports totaling more than two million pages have been filed since April 7, 1972.

From 1972 through 1974 these reports were filed with one or more of the three Supervisory Officers of the Act: the Clerk of the U.S. House of Representatives, the Secretary of the U.S. Senate and the Comptroller General of the United States. With the establishment of the Federal Election Commission in 1975, the Commission assumed control of all documents filed with the Comptroller General, as well as duplicate sets of those filed with the Secretary and the Clerk. The Commission now has available a single,

central office with facilities for easy access to review and copy all of these statements and reports. The Commission encourages the greatest possible use of these documents. The Commission also hopes its indexes and cross-references to statements and reports will serve as easy reference guides for the public to use in understanding and obtaining those records.

Records Office

Federal Election Commission Public Records Office, 1325 K Street, NW., Washington, D.C. 20463 (open 9 a.m. to 5 p.m. Monday-Friday), provides a central ground floor facility at the FEC where all reports relating to campaign finance filed since April 7, 1972 (the effective date of the FECA), are readily available for public inspection and copying. These include statements and reports from candidates for the offices of President, Vice President, U.S. Senator, U.S. Representative, as well as political committees supporting those candidates.

The FEC Public Records Office is a library-type facility with ample work space, reference tables and a knowledgeable staff to help locate documents. Microfilm is the official record of all documents filed since 1972. Documents may be viewed and copied from the several reader-printers in the office. Paper copies of the most recent reports as well as Commission memorandum are also available for review and copying. Because the reports are required to include a listing of every receipt and expenditure in excess of \$100, a simple review may involve numerous reports with many pages. For general reference, however, each report includes a summary page for that period, as well as year-to-date totals, listing amounts of total receipts, total expenditures, cash on hand, debts owed, and other breakdowns.

Documents Available

Campaign finance statements and reports submitted by candidates, political committees and individuals:

- Statements of Candidacy and designation of Principal Campaign Committee
- Statements of Organization of Political Committees
- Candidate Authorization of a Political Committee
- Reports of Receipts and Expenditures
- Statements of Independent Expenditures
- Communication Costs by Corporations, Labor Organizations, Membership Organizations and Trade Associations
- Office Accounts
- Debt Settlement Statements
- Personal Financial Disclosure Reports filed by Presidential and Vice Presidential candidates

FEC Reports (published indexes which consolidate and summarize data taken from financial disclosure reports).

- FEC Disclosure Series (1975-1976)
- FEC Reports on Financial Activity (1977-1978)
- Index to Qualified Multicandidate Political Committees

FEC Documents

- Complete set of Advisory Opinion Requests, Advisory Opinions, Opinion Requests and comments submitted on the AORS. (Topical Index and Cross-References to the Act and Regulations available.)
- All closed compliance actions (Chronological and Numeric Index available)
- Commission memoranda (except Executive Session items), agenda items and agendas for Commission open meetings, Sunshine certifications for closed Commission meetings and minutes of all Commission open meetings
- Completed Audits
- Press releases
- Issues of the FEC newsletter Record
- Federal Register Notices

Indexes Available

The Commission has designed and makes available various computer indexes to campaign finance data. The indexes are designed to make the mass amount of data in the statements and reports more accessible and understandable for the public. Some of these indexes may focus, for example, on selected political committees cross-indexes against the candidates they support and the amount of financial support, or the total financial activity (receipts and expenditures) of a candidate or committee. The following types of indexes are available:

Names and Addresses of Candidates (A Index)

Sorted by type of office sought (President, U.S. Senator, U.S. Representative), and alphabetically by last name or by State/Congressional district.

Names and Addresses of Committees (B Index)

Includes name of connected organization, name of treasurer, committee ID number, notation if it is "qualified" as multicandidate committee and filing frequency. This index can be sorted alphabetically by committee name, by committee ID number, by state, and by type (Presidential, Senate, House, Party, NonParty).

Political Action Committee Name Index (35o and 35c Index)

The names of political action committees are arranged alphabetically

with the sponsoring or connected organization listed below.

Another version of this index lists the sponsoring or connected organization alphabetically, with its political action committee names cross referenced.

Nonparty Related Political Committees Arranged by Date Registered

This index arranges the names and addresses of political committees in chronological order by the date they registered with the Commission. One index lists those from January 1, 1977 through December 31, 1978. The second lists committees from January 1, 1979 to the present.

Disclosure Documents Filed by Political Committees (C Index)

Includes, for each committee, its name, ID number, list of each document filed (name of report, period receipts, period expenditures, coverage dates, number of pages and microfilm location), total gross receipts and expenditures and number of pages.

Index of Candidates Supported by Committees (D Index)

Includes, for each committee, its name, ID number, name of connected organization, notation if it is "qualified" as multicandidate committee, and a listing of all Federal candidates supported, together with total aggregate contributions to or expenditures on behalf of each candidate. In the case of party committees, coordinated party expenditures (§ 441a(d)) are listed in place of independent expenditures.

Index of Candidate and Supporting Committees (E Index)

Includes for each candidate the following:

1. Candidate name, district/State, party affiliation and candidate ID number.
2. Listing of all documents filed by the candidate (type, coverage dates, period receipts, period expenditures, number of pages, microfilm location).
3. Listing of all documents filed by the principal campaign committee (See C Index for explanation).
4. Listing of all documents filed by other authorized committees of the candidate.
5. Listing of all committees (other than those authorized by the candidate) forwarding contributions to the candidate, the principal campaign committee, or an authorized committee, and the aggregate total of such contributions given to date. This listing also identifies committees making expenditures to the candidate, or making independent expenditures for or

against the candidate, or a party committee making coordinated party expenditures (§ 441a(d)), a committee forwarding honoraria, or a vote recount contribution.

6. Listing of all persons or unauthorized single candidate committees filing reports indicating they made independent expenditures on behalf of the candidate.

7. Listing of all persons or committees filing unauthorized delegate reports.

8. Listing of all corporations or labor unions filing reports of communication costs on behalf of the candidate.

Index of Itemized Transaction for Each Candidate and Political Committee (G Index)¹

Itemized receipt and disbursement transactions are listed, along with the amounts of the transactions, keys to reports in which the transactions were indicated, and the microfilm location of transactions. Five categories were represented:

1. Individual transactions, including individual contributions and loan activity.
2. Selected loan and loan repayment transactions, including loans from banks.
3. Unregistered political organization transactions; that is, contributions to candidates from organizations which are not registered under the Act.
4. Corporate refund/rebate transactions with itemized receipts showing refunds of deposits.
5. Transactions among registered candidates/committees which indicate transfers and loan activity.

Office Account Index

The first part of this index lists Office Account Reports Filed in 1977-1978 by Federal Office holders and by State office holders who are also candidates for Federal office.

The second part of this Index lists Office Account Reports filed during the first six months of 1979 by Federal Office holders and by State office holders who are also candidates for Federal office.

Multicandidate Political Committee Index

This Index lists those Party and NonParty political committees which have met the qualifications for Multicandidate committee status, which is defined by 2 U.S.C. 441a(a)(4) of the Federal Election Campaign Act of 1971,

¹Pursuant to restrictions in 2 U.S.C. 438(a), (4), the G Index with its names of contributors and addresses is available for public inspection exclusively at the Commission and may not be mailed out or copied.

as amended, as a political committee "... registered under section 433 for a period not less than 6 months which has received contributions from more than 50 persons, and except for any State political party organization, has made contributions to 5 or more candidates for Federal office."

Special Inquiry

This immediate access system permits direct video display or printout of selected information in the Disclosure Information System. It consists of between 40 and 50 separate programs which may be used to locate, retrieve or display individual items or categories of information. For example, if one did not know the name of a political committee, but knew the Treasurer's name, a Special Inquiry search would provide the political name. If one only knew a key word in the title of the political committee, a Special Inquiry search would provide a list of all political committee names with that key word in the title.

Organization and Indexing of Paper Files

The paper files are organized in the following manner:

1. *Multicandidate Committees:* Over 1,900 political committees supporting more than one Federal candidate are arranged alphabetically in file cabinets by Committee name. These files include those committees which have qualified as "multicandidate committees," as well as those which have not. A cross-reference file is available to help determine the name of a particular group by its affiliation with a labor organization, corporation, trade association or other membership organization.

2. *National Party Related:* Files of major national party committees are arranged by party, then alphabetically by committee name.

3. *Presidential Candidates:* These files are arranged alphabetically by candidate name.

4. *U.S. Senate Candidates:* Files are arranged by State, then alphabetically by candidate name.

5. *U.S. House of Representatives Candidates:* Files are arranged by State, then Congressional District number, then alphabetically by candidates last name.

6. *Communications of Corporations and Unions (Form 7):* Reports on costs of internal communications which advocate the election or defeat of Federal candidates are alphabetized by name of reporting corporation or union.

Further Information

Information regarding these indexes and files may be obtained from the Commission's Public Records Office.

The Office is located at 1325 K Street, NW., Washington, D.C. Telephone 202-523-4181, toll free 800-424-9530.

Information may also be obtained by writing the FEC at the following address: Public Records Office, Federal Election Commission, 1325 K Street NW., Washington, D.C. 20463.

[FR Doc. 79-31105 Filed 10-5-79; 8:45 am]

BILLING CODE 6715-01-M

Reader Aids

Federal Register

Vol. 44, No. 196

Tuesday, October 9, 1979

INFORMATION AND ASSISTANCE

Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing 202-523-5240.

Federal Register, Daily Issue:

- 202-783-3238 Subscription orders (GPO)
- 202-275-3054 Subscription problems (GPO)
- "Dial-a-Reg" (recorded summary of highlighted documents appearing in next day's issue):
 - 202-523-5022 Washington, D.C.
 - 312-663-0884 Chicago, Ill.
 - 213-688-6694 Los Angeles, Calif.
- 202-523-3187 Scheduling of documents for publication
- 523-5240 Photo copies of documents appearing in the Federal Register
- 523-5237 Corrections
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- 523-5227 Finding Aids
- 523-5235 Public Briefings: "How To Use the Federal Register."

Code of Federal Regulations (CFR):

- 523-3419
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- 523-5227 Finding Aids

Presidential Documents:

- 523-5233 Executive Orders and Proclamations
- 523-5235 Public Papers of the Presidents, and Weekly Compilation of Presidential Documents

Public Laws:

- 523-5266 Public Law Numbers and Dates, Slip Laws, U.S.
- 5282 Statutes at Large, and Index
- 275-3030 Slip Law Orders (GPO)

Other Publications and Services:

- 523-5239 TTY for the Deaf
- 523-5230 U.S. Government Manual
- 523-3408 Automation
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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY*	USDA/ASCS		DOT/SECRETARY*	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week, Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

***NOTE:** As of July 2, 1979, all agencies in the Department of Transportation, will publish on the Monday/Thursday schedule.

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today**ENERGY DEPARTMENT**

52632 9-7-79 / Energy conservation program for consumer products; test procedures for water heaters

ENVIRONMENTAL PROTECTION AGENCY

52590 9-7-79 / Effluent guidelines and standards; electroplating point source category

46275 8-7-79 / Regulation of fuels and fuel additives; small refinery amendment

INTERIOR DEPARTMENT

Geological Survey—

46404 8-7-79 / Outer Continental Shelf Oil and Gas Information Program

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing October 3, 1979

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1979)

Quantity	Volume	Price	Amount
_____	Title 28—Judicial Administration	\$6.50	\$_____
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		Total Order	\$_____

[A Cumulative checklist of CFR issuances for 1979 appears in the first issue of the Federal Register each month under Title 1. In addition, a checklist of current CFR volumes, comprising a complete CFR set, appears each month in the LSA (List of CFR Sections Affected)]

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Part IX

**Department of
Health, Education,
and Welfare**

Privacy Act of 1974; Systems of
Records; Annual Publication

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

Privacy Act of 1974

Systems of Records; Annual Republication

AGENCY: Department of Health, Education, and Welfare (HEW), Office of the Secretary, Assistant Secretary for Management and Budget (ASMB).

ACTION: Annual republication of notices of systems of records. SUMMARY: The Office of the Secretary publishes this document to meet the requirements of 5 USC 552a(e)(4). This is the annual republication for the HEW organizations listed below. The listing is complete as of August 24, 1979, and does not include any material which would require a new or altered system report as described in OMB Circular A-108. The notices do not contain any new routine uses. Nonetheless, these notices do include modifications for the purposes of completeness, clarity, timeliness and correctness.

SUPPLEMENTARY INFORMATION: Notices included here are for the following organizations of the Office of the Secretary and HEW Regional Offices:

- 1.—Assistant Secretary for Management and Budget (ASMB).
- 2.—Office of the Inspector General (OIG).
- 3.—Assistant Secretary for Legislation (ASL).
- 4.—Assistant Secretary for Public Affairs (ASPA).
- 5.—Executive Secretariat (ES).
- 6.—Office of Consumer Affairs (OCA).
- 7.—Office of Civil Rights (OCR).
- 8.—Office of the General Counsel (OGC).
- 9.—Office of Child Support Enforcement (OCSE).
- 10.—Region I, Administrative Support Center (ASC).
- 11.—Region III, Administrative Services Division (ASD).

HEW made the following deletions from last year's publication:

- 1.—System 09-90-0047, Directory, Federal, State, County and City Government Consumer, Federal Register, Vol. 43, No. 188-September 27, 1978, page 44145, no longer exists.
- 2.—System 09-90-0048, Consumer Liaison Contacts, Federal Register, Vol. 43, No. 188-September 27, 1978, page 44145, is no longer an HEW system.
- 3.—System 09-90-0049, Office of External Liaison-Consumer Correspondence Files, Federal Register, Vol. 43, No. 188-September 27, 1978, page 44146, no longer exists.
- 4.—System 09-90-0070, Motor Vehicle Accident Reports, Federal Register, Vol. 43, No. 188-September 27, 1978, page 44155, deleted because system 09-90-0062, Administrative Claims, includes this system.

If any errors appear because of inadvertent oversight, we will publish additional modifications, additions and deletions in later issues of the Federal Register to correct the errors.

We note that there are certain routine use disclosures that apply to a substantial number of HEW systems of records and we have set forth such routine use disclosures in a list preceeding the notices. In the notices of systems of records, HEW refers to this list by the following name: Appendix B of the Departmental regulations (45 CFR 5b). When we cite a specific routine use in Appendix B, that routine use supplements other routine uses already mentioned in the text of the individual notices.

In order to inform the public of the Privacy Act restrictions on the release of records contained in systems of records, we have set forth the "Conditions of Disclosure" section of the Privacy Act before the list of routine use disclosures.

Dated: September 11, 1979.

Frederick M. Bohen,
Assistant Secretary for Management and Budget.

Section 3(b) of the Privacy Act

(5 USC 552a(b))

"(b) Conditions of Disclosure.—No agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be—

"(1) to those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

"(2) required under section 552 of this title (the Freedom of Information Act);

"(3) for a routine use as defined in . . . [The Privacy Act and described or referenced in the routine use section of the specific notices of systems of records published in the Federal Register];

"(4) to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

"(5) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

"(6) to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

"(7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

"(8) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

"(9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

"(10) to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

"(11) pursuant to the order of a court of competent jurisdiction.

DEPARTMENTAL PRIVACY ACT REGULATIONS

(45 CFR 5b)

APPENDIX B

ROUTINE USES APPLICABLE TO MORE THAN ONE SYSTEM OF RECORDS MAINTAINED BY HEW

(1) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether state or local charged with the responsibility of

investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10)-(99) (Reserved)

(100) To the Department of Justice or other appropriate federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

(101) To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

(102) To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

(103) Disclosures in the course of employee discipline or competence determination proceedings.

Table of Contents

System Number and Name

- 09-90-0001 Telephone Directory/Locator System HEW/OS/ASMB/OMAS.
- 09-90-0005 Safety Management Information System (HEW Accident, Injury, and Illness Reporting System). HEW/OS/ASMB/Office of Safety and Occupational Health.
- 09-90-0023 Department Parking Control Policy. HEW/OS/ASMB/FE.
- 09-90-0024 Accounting Records of Payments to Individuals. From Agency and Regional Financial Management and Disbursing Office. HEW/OS/ASMB 1.
- 09-90-0025 Central Registry of Individuals Doing Business with HEW. HEW/OS/ASMB 2.
- 09-90-0039 Family Educational Rights and Privacy Act—School Recordkeeping Practices, Correspondence, and Complaint System. HEW/OS/ASMB/FERPA.
- 09-90-0003 Investigative Files of the Inspector General. HEW/OS/OIG.
- 09-90-0078 Temporary Matching File. HEW/OS/OIG.
- 09-90-0026 Congressional Biographies. HEW/OS/ASL.
- 09-90-0027 Congressional Correspondence Unit. HEW/OS/ASL.
- 09-90-0072 Congressional Grants Notification Unit. HEW/OS/ASL.
- 09-90-0028 Biographies and Photographs of HEW Officials. HEW/OS/ASPA.
- 09-90-0058 Freedom of Information Case File and Correspondence Control Index. HEW/OS/ASPA/FOIA.
- 09-90-0037 Secretary's Correspondence Control System. HEW/OS/ES.
- 09-90-0038 Secretary's Official Files. HEW/OS/ES.
- 09-90-0041 Consumer Mailing List. HEW/OS/OCA.
- 09-90-0046 Consumer, Complaint Correspondence System. HEW/OS/OCA.
- 09-90-0050 Case Information Management System. HEW/OS/OCR.
- 09-90-0051 Complaint Files and Log, Office of Management and Administration. HEW/OS/OCR/OMA.
- 09-90-0056 New Orleans Louisiana Review. HEW/OS/OCR/HSS.
- 09-90-0062 Administrative Claims. HEW/OS/OGC.
- 09-90-0064 Litigation Files, Administrative Complaints, and Adverse Personnel Actions. HEW/OS/OGC.

09-90-0065 Conflict of Interest—Standards of Conduct Records. HEW/OS/OGC.

09-90-0066 OGC Attorney Applicant Files. HEW/OS/OGC.

09-90-0067 Invention Reports Submitted to the Department of Health, Education, and Welfare by its employees, Grantees, and Fellowship Recipients, and Contractors. HEW/OS/OGC.

09-90-0068 Federal Private Relief Legislation. HEW/OS/OGC.

09-90-0071 Social Security Code Cards. HEW/OS/OGC.

09-90-0074 Federal Parent Locator System. HEW/OCSE.

09-90-0075 MBTA Prepaid Pass Program Participants. HEW/ROL/ARD.

09-90-0061 Claims for Damage, Injury, or Death. HEW/RO3/ASD.

09-90-0005

System name: HEW-09-/0001 Telephone Directory/Locator System HEW-OS-ASMB-OMAS

Security classification: None

System location: Operating offices and Facility Complexes of the Department—Employee Locators and Offices of Administrative or Management Services.

Categories of individuals covered by the system: Current employees of the Department and vendor or other Federal employees located in Department operating offices and facility complexes.

Categories of records in the system: Name, title, agency office address, agency mailing address telephone number, standard administrative code, and social security number.

Authority for maintenance of the system: 5 USC 301, 40 USC 486(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used to develop and maintain current employee locator and director listings. The locator listings are used by the HEW information centers, mail rooms, and other specifically for the purpose of locating employees and for routing of mail. The directory listings are used to produce departmental telephone directories on an as needed basis. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Various stored in card files, computer printouts, paper forms, magnetic tape.

Retrievability: Alphabetically by employee name, in certain instances also by agency and/or title. Some large systems use the SSN as control to update, change or delete information on individuals no longer within this system of Records.

Safeguards: Only authorized personnel have access to master lists which contain social security numbers.

Retention and disposal: Retained as long as individual is employed by or associated with the Department, then information deleted from files by appropriate method.

System manager(s) and address: Telecommunications management officials of the Department—See Appendix.

Notification procedure: Direct inquiries to the appropriate systems manager identified in Appendix.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Individual employee

Systems exempted from certain provisions of the act: None.

APPENDIX:

Department policy coordinator:

Telecommunications Management Officer
Department of Health, Education, and Welfare
Office of the Assistant Secretary for Management and Budget
Office of Management Analysis and Systems
200 Independence Avenue S.W.
Washington, DC 20201

Operating System Managers:

Office of the Secretary
Telecommunications Management Officer
Office of Management Services
330 Independence Ave., S.W.
Room 1271R
Washington, DC 20201

Human Development Services
Director, Division of Administrative Services
200 Independence Ave. S.W. Room 309B
Washington, DC 20201

Office of Education
Communications Management Officer
400 Maryland Avenue, S.W.
Washington, DC 20202

National Institute of Education
Chief, Publications Management and Administrative Services
Division
1200 19th Street, N.W. Room 639D
Washington, DC 20208

Public Health Service
Chief, Communications Section
Administrative Services Center
5600 Fishers Lane
Rockville, MD 20857

Public Health Service
Center for Disease Control
Chief, Management Services Branch
Atlanta, GA 30333

Public Health Service
Food and Drug Administration
Chief, Services Management Section
Division of Management Services
5600 Fishers Lane
Rockville, MD 20857

Public Health Service
Chief General Services Branch
Bureau of Medical Services
6525 Belcrest Road-FCB 3 Rm 1100
Hyattsville, MD 20782

Public Health Service
Chief, General Services Branch
USPHS Hospital
3100 Wyman Park Drive
Baltimore, MD 21211

Public Health Service
Chief, General Services Branch
USPHS Hospital
77 Warren Street
Boston (Brighton), MA 02135

Public Health Service
Chief, General Services Branch
USPHS Hospital
Carville, LA 70721

Public Health Service
Chief, General Services Branch
USPHS Hospital
2050 Space Park Dr.
Nassau Bay, TX 77058

Public Health Service
Chief, General Services Branch
USPHS Hospital
210 State Street
New Orleans, LA 70118

Public Health Service
Chief, General Services Branch
USPHS Hospital
6500 Hampton Blvd.
Larchmont, Norfolk, VA 23508

Public Health Service
Chief, General Services Branch
USPHS Hospital
15th Avenue and Lake Street
San Francisco, CA 94118

Public Health Service
Chief, General Service Branch
USPHS Hospital
1131 14th Avenue South
Seattle, WA 98144

Public Health Service
Chief, General Services Branch
USPHS Hospital
Bay Street and Vanderbilt Avenue
Staten Island, NY 10304

Public Health Service
Director, USPHS Outpatient Clinic
1600 Clifton Road, N.E.
Atlanta, GA 30333

Public Health Service
Director, USPHS Outpatient Clinic
Mary E. Switzer Building
4th and C Steets, S.W.
Washington, DC 20201

Health Care Financing Administration
Chief, Facilities Management Branch
1710 Gwynn Oak Ave
Baltimore, MD 21235

Social Security Administration
Communications Systems Branch
6401 Security Boulevard Room 1217—Annex
Baltimore, MD 21235

Region I
HEW Director, Division of Administrative Services
JFK Federal Building
Boston, MA 02203

Region II
HEW Director, Division of Administrative Services
26 Federal Plaza
New York, NY 10007

Region III
HEW Director, Division of Administrative Services
3535 Market Street
Philadelphia, PA 19101

Region IV
HEW Director, Division of Administrative Service
101 Marietta Tower Suite 1502
Atlanta, GA 30323

Region V
HEW Director, Division of Administrative Services
300 South Wacker Drive
Chicago, IL 60606

Region VI
HEW Director, Division of Administrative Services
1200 Main Tower
Dallas, TX 75202

Region VII

HEW Director, Division of Administrative Services
601 East 12th Street
Kansas City, MO 64106

Region VIII

HEW Director, Division of Administrative Services
1961 Stout Street
Denver, CO 80294

Region IX

HEW Director, Division of Administrative Services
50 United Nations Plaza
San Francisco, CA 94102

Region X

HEW Director, Division of Administrative Service
1321 Second Avenue
Seattle, WA 98101

09-90-0005

System name: Safety Management Information System (HEW Accident, Injury and Illness Reporting System). HEW/OS/ASMB/OFE/OSOH

Security classification: None

System location: At Departmental Regional and Headquarters facilities (see Appendix 1).

Categories of individuals covered by the system:

1. HEW Employees, including both civilian and commissioned corps personnel, who are involved in an accident which arises out and in the course of their employment whether occurring on HEW premises or not and results in:

- a. A fatality.
- b. Lost workdays beyond the day in which the accident occurred.
- c. Nonfatal injuries which result in transfer to another job, termination of employment, medical treatment other than first aid, loss of consciousness or restriction of work or motion.
- d. A possible tort claim.
- e. A claim for compensation.
- f. Property damage in excess of \$50.00.
- g. Interrupts or interferes with the orderly progress of work of other employees.
- h. Radiation over exposure.
- i. Biological exposure resulting in lost time of accidental release of biologicals where the public may be over-exposed.

2. Visiting scientists, contractor personnel, hospitalized patients, out-patients, employees of other Federal agencies, state or local governments or members of the public who suffer injury, illness or property damage on or in HEW premises or as a result of HEW activities.

Categories of records in the system: This system consists of a variety of information and supporting documentation resulting from the reporting and investigation of accidents which have resulted in injury, illness, property damage or the interruption of interference with the orderly progress of work. The records contain information about individuals involved in or experiencing accidents including but not limited to the severity of the injury, whether consciousness was lost, the type of injury, culmination of any injury, days lost from work if any, the nature of the injury, illness or disease, the body part affected, causal factors, weather factors, agency of accident, whether unsafe mechanical, physical, or personal acts or factors were involved, the accidents area of origin and if fire was involved, the type and form of materials involved. Property damage (both public and private) is noted through the property sequence number, who owned the property involved, property damage and actual or estimated monetary loss, the HEW installation number if appropriate and the year of manufacture or construction if appropriate. Identifiers relating to a particular accident include the organization, case number assigned, date and time of occurrence, state of territory, site, type and classification of accident, estimated amount of tort claims if appropriate, name of individual(s) involved, the social security number, sex, age, grade series and level, CSC series, address, other Departments notified of accident, duty status, activity at time of accident and time on duty before accident. Management's evaluation and corrective action taken or proposed is also noted.

Authority for maintenance of the system: Section 19 of the Occupational Safety and Health Act of 1970 (PL 91-596); U.S.C. 7902; 29 CFR Part 1960; Executive Order No. 11807

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. See Appendix B, Departmental Regulations (45 CFR Part 5b) Items 01,5

b. To request from a Federal, state, local agency or private sources information relevant to the investigation of an accident and/or corrective action.

c. To respond to an inquiry from a member of Congress made on behalf of a constituent.

d. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are or may be maintained on magnetic tapes, punchcards, lists, forms, discs, computer storage, in file folders, binders and index cards.

Retrievability:

1. At the Departmental level, the system is completely computerized with no other records normally maintained or retained in the Office of Safety and Occupational Health. While individual identifiers such as name, case number, and social security number are within the computer storage banks, special programming would be required to extract individual records. Normal output consists of statistical reports and surveys including those required by the Department of Labor and Statistical Analysis in support of the Departmental occupational safety and health program for dissemination to the Principal Operating Components, Regions and Staff Offices.

2. The Principal Operating Components of the Department, their sub-components, Regional Offices and Staff Offices may maintain original or copies of the accident reports and supporting documentation by name, social security number, case number or cross reference.

3. Establish a written record of the causes of accidents.

4. Provide information to initiate and support corrective or preventive action.

5. Provide statistical information relating to accidents resulting in occupational injuries, illnesses, and/or property damage.

6. Provide management with information with which to evaluate the effectiveness of safety management programs.

7. Provide the means for complying with the reporting requirements of Section 19 of the Occupational Safety and Health Act of 1970 and such other reporting requirements as may be required by legislative or regulatory requirements.

8. Provide such other summary descriptive statistics and analytical studies as necessary in support of the function for which the records are collected and maintained including general requests for statistical information without personal identification of individuals.

9. Information in these records is used by or may be disclosed to: a. The Office of Safety Management, Office of the Secretary, HEW in the review of accident experience data to determine the adequacy of corrective actions, the effect of codes, standards and guides, the consolidation, summarization and dissemination of accident experience data throughout HEW and other Government Departments and agencies as needed or required. b. The supervisor, administrative officer or other official initiating an accident report, including each succeeding reviewing official in the chain of command through which the report passes to insure that corrective action, as needed and appropriate, is taken. c. Appropriately appointed Safety Directors, Officers, or others with safety responsibilities within the Department in the verifying, assembling, analyzing, summarizing and disseminating data concerning the accident experience in their areas of responsibility and the initiation of appropriate corrective action.

Safeguards: Access to and use of these records is made available to those personnel having a legitimate need for the information (those whose duties require review or access) including inspecting or evaluating personnel. Records, which under the law, may not be disclosed such as information pertinent to national security or trade secrets are maintained separately, adequately safeguarded and released only in accordance with the law. When there is doubt regarding the release of information, the matter will be referred, in advance of release, to the Office of the General Counsel, HEW.

Retention and disposal: All accident reports, records, logs, and other information relating to an accident are retained by the Principal Operating Components and their agencies, the Regional Offices and the Office of the Secretary for at least five years following the end of the calendar year in which the accident occurred. Specific occupational safety and health standards (such as the standards covering the handling of carcinogenic chemicals) may be required to be kept for up to twenty years. Records may be retained indefinitely.

System manager(s) and address:

Director
Office of Safety and Occupational Health
Department of Health, Education, and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should address their inquiries to one of the following as appropriate:

1. If employed or formerly employed in HEW Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix).

2. If employed or formerly employed in a HEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed with the exception of the Food and Drug Administration (see list and addresses under appendix). The contact for the Food and Drug Administration is:

Privacy Act Coordinator
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20852

Individuals requesting information about this system of records should provide their full name, social security number, name and address of office and agency in which currently or formerly employed and the accident(s) case number if known.

Record access procedures: Individuals wishing to gain access to or contest their records should contact the following in person or writing as appropriate; with the exception of Food and Drug Administration. See "Notification" above. 1. If employed or formerly employed in a HEW Regional Office, the Regional Occupational Safety and Health Manager of the Region involved (see list and addresses under appendix). 2. If employed or formerly employed in a HEW Principal Operating Component or sub-agency, a staff office or the Office of the Secretary, the Occupational Safety and Health Manager of the component where employed. (See list and addresses under appendix). Individuals requesting information in this system of records should provide their full name, social security number (on a purely voluntary basis), case number if known, time and brief description of the accident in which they were involved and the name and address of office in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.3(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information in this system is obtained from the following sources: 1) the individual to whom the record pertains; 2) witnesses to the accident; 3) investigation officials (Federal, state, local); 4) medical personnel seeing the individual as a result of the accident; 5) supervisory personnel; 6) reviewing officials; 7) personnel offices; 8) investigative material furnished by Federal, state, or local agencies; 9) on site observations.

Systems exempted from certain provisions of the act: None.

Appendix

Region I:
HEW Regional Safety and Occupational Health Manager
John F. Kennedy Federal Building—Room 1503
Government Center
Boston, Massachusetts 02203

Region II:
HEW Regional Safety and Occupational Health Manager
Federal Building—Room 3835
26 Federal Plaza
New York, New York 10007

Region III:
HEW Regional Safety and Occupational Health Manager
3535 Market Street
Philadelphia, Pennsylvania 19101

Region IV:
HEW Regional Safety and Occupational Health Manager
Suite 1503—101 Marietta Tower
Atlanta, Georgia 30323

Region V:
HEW Regional Safety and Occupational Health Manager
300 South Wacker Drive—35th Floor
Chicago, Illinois 60606

Region VI:
HEW Regional Safety and Occupational Health Manager
1200 Main Tower Bldg
Dallas, Texas 75202

Region VII:
HEW Regional Safety and Occupational Health Manager
601 East 12th Street—Room 566
Kansas City, Missouri 64106

Region VIII:
HEW Regional Safety and Occupational Health Manager
1961 Stout Street—Room 11037
Denver, Colorado 80202

Region IX:
HEW Regional Safety and Occupational Health Manager
Federal Office Building—Room 8
50 United Nations Plaza
San Francisco, California 94102

Region X:
HEW Regional Safety and Occupational Health Manager
Arcade Plaza—Room 6003
1321 Second Avenue
Seattle, Washington 98101

Office of Education:
Safety Officer
FOB 06—Room 1175
400 Maryland Avenue SW.
Washington, D.C.

National Institute of Education:
Safety Officer
1200 19th Street NW.
Washington, D.C. 20208

Health Care Financing Administration:
Safety Officer
Room GM-1 Eastlow Rise
6401 Security Boulevard
Baltimore Md. 21235

Social Security Administration:
Director, Occupational Health Management
Rm. 8 Second Floor, Link Bldg.
6401 Security Boulevard
Baltimore, Maryland 21235

Office of the Secretary, HEW
Safety Officer
Room 507B South Portal Building
Department of Health, Education, and Welfare
200 Independence Avenue SW.
Washington, D.C. 20201

Public Health Service:
Director, Division of Health Facilities Planning
Room 18-42—Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Alcohol, Drug Abuse, and Mental Health Administration:
Safety Officer
Room 6-105—Parklawn Building
5600 Fishers Lane

Rockville, Maryland 20852

Center for Disease Control:
Chief, Office of Biosafety
Bldg. 4—Room 232
1600 Clifton Road NE.
Atlanta, Georgia 30333

Food and Drug Administration:
Privacy Act Coordinator
Rockville, Maryland 20852

Health Resources Administration:
Safety Officer
Rm. 232 Federal Center Bldg. 2
3700 East/West Highway
Hyattsville, Md. 20782

National Institutes of Health:
Associate Director, Environmental Health and Safety, Division
of Research Sciences
Room 4051—Building 12A
9000 Rockville Pike
Bethesda, Maryland 20014

09-90-0023

System name: Departmental Parking Control Policy. HEW/OS/ASMB FE

Security classification: None.

System location:

Director, Office of Facilities Engineering and Property Management
Room 4193 North Building
HEW/Office of the Secretary
330 Independence Ave., S.W.
Washington, D.C. 20201

Offices of Manager for Parking Control at HEW facilities where HEW parking is provided.

Categories of individuals covered by the system: All HEW employees as well as any carpool member utilizing DHEW parking facilities.

Categories of records in the system: This system includes the following information on all persons applying for a parking permit: Name, office room number, office phone number, agency, home address, and automobile license number.

Authority for maintenance of the system: 63 Stat. 377; 41 CFR 101-20.111.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in binders in file cabinets.

Retrievability: Records are filed alphabetically. The purpose of the Departmental Parking Policy is to provide standards for apportionment and assignment of parking spaces on Department-managed and Department-controlled property and on property assigned to the Department by GSA or any other Agency and to allocate and check parking spaces assigned to government vehicles, visitors, handicapped personnel, key personnel, car-pools, and others.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access.

Retention and disposal: Superseded policy materials are maintained by the Director, Office of Facilities Engineering and Property Management for historical purposes; Records at other HEW locations are maintained until the Parking Control purpose has been met, and the records are then destroyed.

System manager(s) and address:

Director, Office of Facilities Engineering and Property Management
Room 4193 North Building
HEW/Office of the Secretary
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Access to these records may be obtained by request in writing to:

Office of Manager for Parking Control at HEW facility where HEW parking is provided.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system comes from reports from OS Staff, POC's and Regions, GSA-Federal Management circulars and Federal Property Management Regulations.

Systems exempted from certain provisions of the act: None.

09-90-0024

System name: Accounting records of Payments to Individuals from Agency and Regional Financial Management and Disbursing Offices. HEW OS ASMB 1.

Security classification: None.

System location: See appendix 1.

Categories of individuals covered by the system: Persons authorized to travel on official HEW business; persons awarded an HEW grant, contract or loan; persons authorized emergency salary advances; and consultants furnishing administrative and miscellaneous services.

Categories of records in the system: Name, identification number, address, purpose of payment, accounting classification and amount paid

Authority for maintenance of the system: Budget and Accounting Act of 1950 (P.L. 81-784).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Treasury Department for check preparation; to members of Congress on behalf of a constituent or concerning a federal financial assistance program; See Departmental Regulations (45 CFR part 5b), Appendix B, 3, 4, 6, 7, 8. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office made from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy documents are manually filed at agency and regional office sites; and on disc pack and magnetic tape at central computer sites.

Retrievability: This varies according to the particular operating accounting system within the Agency and Regional Office. Usually the hard copy document is filed by name within accounting classification. Computer records may be indexed by social security number and voucher number. Intra-departmental uses and transfers concern the validation and certification for payment, and for HEW internal audits.

Safeguards: Minimum safeguards to insure integrity of records, and that required to provide protection against loss by accident of carelessness; these records are classified as public information and are available through the Freedom of Information Act.

Retention and disposal: Records are purged from automated files once the accounting purpose has been served; printed copy and

manual documents are retained and disposed of in accord with General Accounting Office principles and standards.

System manager(s) and address: See appendix 2.

Notification procedure: Inquiries are to be made, either in writing or in person, to the organizations listed under 'Location' in appendix 1, with the exception of Food and Drug Administration contact:

FDA Privacy Coordinator (HF-50)

Food and Drug Administration

5600 Fishers Lane

Rockville, Md. 20852

Give name and social security number, purpose of payment (travel, grant, etc.) and, if possible, the agency accounting classification.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Travel vouchers submitted by the individual; grant, contract or loan award document; consultant invoice of services rendered; and application for travel advance.

Systems exempted from certain provisions of the act: None.

Appendix 1 Location.

Payments to Individuals records are located at the following HEW Regional Offices:

Regional Office 01
John F. Kennedy Federal Bldg.
Government Center
Boston, MA 02203

Regional Office 02
26 Federal Plaza
New York, NY 10007
Regional Office 03
Post Office Box 12900
Philadelphia, PA 19108

Regional Office 04
50 Seventh Street, N.E.
Atlanta, GA 30323

Regional Office 05
300 South Wacker Drive
Chicago, IL 60606

Regional Office 06
1114 Commerce Street
Dallas, TX 75202

Regional Office 07
Federal Office Bldg.
601 East 12th Street
Kansas City, MO 64106

Regional Office 08
19th & Stout Streets
Denver, CO 80202

Regional Office 09
50 Fulton Street
San Francisco, CA 94102

Regional Office 010
Arcade Plaza Bldg.
1319 Second Avenue
Seattle, WA 98101

Payments to Individuals records are located at the following HEW Agency Headquarters and Field Offices:

Office of the Secretary (to include Office of Human Resources records)
Div. of Accounting Operations
Washington, DC 20201

Office of Education
Accounting Operations Section
Federal Office Bldg. 06
Washington, DC 20202

National Institute of Education
Finance Division, Room 710
1200 14th Street N.W.
Washington, DC 20208

Health Services Adm.
Office of Fiscal Services
Parklawn Bldg.
5600 Fishers Lane
Rockville, MD 20852

Health Services Adm.
U.S. Public Health Service Hospital
77 Warrent Street Brighton
Boston, MA 02135

Health Services Adm.
U.S. Public Health Service Hospital
Bay and Vanderbilt Streets—Stapleton
Staten Island, NY 10304

Health Services Adm.
U.S. Public Health Service Hospital
3100 Wyman Park Drive
Baltimore, MD 21211

Health Services Adm.
U.S. Public Health Service Hospital
6500 Hampton Boulevard—Larchmont
Norfolk, VA 23508

Health Services Adm.
Addiction Research Center
Leestown Pike—Box 2000
Lexington, KY 40501

Health Services Adm.
U.S. Public Health Service Hospital
Carville, LA 70721

Health Services Adm.
U.S. Public Health Service Hospital
210 State Street
New Orleans, LA 70118

Health Services Adm.
U.S. Public Health Service Hospital
4400 45th Avenue North
Galveston, TX 77550

Health Services Adm.
PHS Indian Health Area Office
Federal Office Bldg. & U.S. Court House
500 Gold Avenue, S.W.
Albuquerque, NM 87101

Health Services Adm.
PHS Indian Health Area Office
338 Post Office & Court House Bldg.
Oklahoma City, OK 73102

Health Services Adm.
Aberdeen Area Office
Indian Health Service
Federal Bldg.
Aberdeen, SD 57401

Health Services Adm.
03 at 7th West Central Avenue
Post Office Box 2143
Billings, MT 59103

Health Services Adm.
U.S. Public Health Service Hospital
15th Avenue & Lake Street
San Francisco, CA 94118

Health Services Adm.
PHS Indian Health Area Office:
801 East Indian School Road
Phoenix, AZ 85014

Health Services Adm.
U.S. Public Health Service Hospital
1131 14th Avenue, South
Post Office Box 3145
Seattle, WA 98114

Health Services Adm.
Alaska Area Native Health Service
Post Office Box 7-741
Anchorage, AK 99510

Public Health Service
Center for Disease Control
1600 Clifton Road
Atlanta, GA 30333

Public Health Service
Nat'l Institute for Occupational Safety & Health, CDC
532 U.S. Post Office & Courthouse Bldg.
Cincinnati, OH 45202

Food and Drug Adm.
HFA-120
5600 Fishers Lane
Rockville, MD 20852

Food and Drug Adm.
880 W. Peachtree St., N.W.
Atlanta, GA 30309

Food and Drug Adm.
585 Commercial Street
Boston, MA 02109
Food and Drug Adm.
599 Delaware Avenue
Buffalo, NY 14202

Food and Drug Adm.
Room 700—Federal Office Bldg.
850 3rd Avenue (at 30th Street)
Brooklyn, NY 11232

Food and Drug Adm.
20 Evergreen Pl.
East Orange, NJ 07018

Food and Drug Adm.
Room 1204, U.S. Customhouse
2nd & Chestnut Streets
Philadelphia, PA 19106

Food and Drug Adm.
900 Madison Avenue
Baltimore, MD 21201

Food and Drug Adm.
P.O. Box S-4427
San Juan, P.R. 00905

Food and Drug Adm.
Room 1222 Main Post Office Bldg.
433 West Van Buren Street
Chicago, IL 60607

Food and Drug Adm.
1560 East Jefferson Avenue
Detroit, MI 48207

Food and Drug Adm.
1141 Central Parkway
Cincinnati, OH 45202

Food and Drug Adm.
240 Hennepin Avenue
Minneapolis, MN 55401

Food and Drug Adm.

3032 Bryan Street
Dallas, TX 75204

Food and Drug Adm.
Room 222, U.S. Customhouse Building
423 Canal Street
New Orleans, LA 70130

Food and Drug Adm.
National Center for Toxicological Research
Jefferson, AR 72079

Food and Drug Adm.
1009 Cherry Street
Kansas City, MO 64106

Food and Drug Adm.
Room 1002 U.S. Courthouse & Customhouse Building
1114 Market Street
St. Louis, MO 63101

Food and Drug Adm.
Room 573 New Customhouse Building
721 19th Street
Denver, CO 80202

Food and Drug Adm.
Room 518 Federal Office Building
50 Fulton Street
San Francisco, CA 94102

Food and Drug Adm.
1521 West Pico Boulevard
Los Angeles, CA 90015

Food and Drug Adm.
5003 Federal Office Bldg.
909 First Avenue
Seattle, WA 98174

National Institutes of Health
Operations Accounting Branch
Bldg. 31, Room B1B07
9000 Rockville Pike
Bethesda, MD 20014

National Institutes of Health
Rocky Mountain Laboratory
Hamilton, MT 59840

National Institutes of Health
Public Health Hospital
15th Avenue & Lake Street
San Francisco CA 94118

Alcohol, Drug Abuse, & Mental Health Administration
Saint Elizabeths Hospital
Finance Office, Administration Bldg.
Washington, DC 20032

Social Security Administration
Administration, Program and Fiscal Operations Offices
1227 Annex Social Security Bldg.
Baltimore, MD 21235

Social Security Administration
Bureau of Supplemental Security Income
4-M-5 Annex Bldg.
Baltimore, MD 21235

Social Security Administration
Bureau of Disability Payments
1506 Woodlawn Drive 1J2
Baltimore, MD 21241

Social Security Administration
Northeastern Program Center
9605 Horace Harding Expressway
Flushing, NY 11368

Social Security Administration
Midatlantic Program Center

401 North Broad Street
Philadelphia, PA 19108

Social Security Administration
Southeastern Program Center
225 Third Avenue North
Birmingham, AL 35285

Social Security Administration
Great Lakes Program Center
165 North Canal Street
Chicago, IL 60606

Social Security Administration
MidAmerica Program Center
601 East 12th Street
Kansas City, MO 64106

Social Security Administration
Western Program Center
Post Office Box 100
San Francisco, CA 94101

Health Care Financing Administration
Room 1219 HEW South Building
330 C Street, S.W.
Washington, DC 20201

For Payments to Individuals records at the following central payments office for grants and contracts:

Office of the Secretary
Federal Assistance Financing Branch
5600 Fishers Lane, Rm. 833
c/o Rockwell Building
Rockville, MD 20852

Appendix 2 System Manager
Departmental principles and standards concerning the system of records are the responsibility of:

Department of Health, Education, and Welfare
Assistant Secretary for Management and Budget
Office of the Secretary
Room 510A, Humphrey Building
Washington, DC 20201

Operational responsibilities are as follows:
For Payments to Individual records at Departmental and Regional Offices:

HEW, Office of Secretary and Regional Offices

Office of Secretary
Deputy Assistant Secretary, Finance
Room 705D1, Humphrey Building
Washington, DC 20201

For Payments to Individual records at Principal Operating Component Offices:

Education (OE, NIE, ASE)

Office of Education (For OE and ASE)
Deputy Commissioner for Management
Room 4169 FOB-6
Washington, DC 20201

National Institute of Education
Associate Director for Administration and Management
Room 639 Brown Building
1200 14th Street, N.W.
Washington, DC 20208

Health (HSA, CDC, FDA, NIH, ADAMHA, HRA, ASH)

Public Health Service
Director, Division of Financial Management
Room 18-17, Parklawn Building
5600 Fishers Lane
Rockville, MD 20852

Social Security Administration

Social Security Administration
Director, Office of Financial Management
Room 840 Annex Social Security Bldg.
Baltimore, MD 21235

Office of Human Development

Office of Human Development
Director, Office of Administration and Management
Room 1107 Donohoe Building
400 6th Street, S.W.
Washington, DC 20201

Health Care Financing Administration
Assistant Administrator for Financial Management
Room 5082, HEW-S
330 C Street, S.W.
Washington, DC 20201

09-90-0025

System name: Central Registry of Individuals Doing Business With HEW. HEW OS ASMB 2.

Security classification: None.

System location:

Division of Financial Operations and Fiscal Procedures
Room 739D1, Humphrey Building
200 Independence Avenue, S.W.
Washington, DC 20201

Categories of individuals covered by the system: Individuals who are the recipients of Federal Domestic Assistance Grants, or of contracts awarded by HEW.

Categories of records in the system: An index of names, addresses and identification number (SSN) of the individual doing business with HEW. No other personally identifiable data are maintained. The index is termed public information since data relative to Federal Domestic Assistance and Contracts are public information.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Departmental Regulations (45 CFR Part 5b), Appendix B, 3, 4, 6, 7, 8. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy code booklets are manually filed at agency and regional office sites; and on disc pack and magnetic tape at central computer sites.

Retrievability: Record may be found in the Code Book by either name or social security number; record in disc pack and on magnetic tape is indexed by social security number. The Code Book provides a listing of data processing numbers for grant, contract and financial transactions. These numbers are used to access the name and address of the individual in the Automated Library (Central Registry). The information is used for check preparation, reports, mailings, etc.

Safeguards: Minimum safeguards to insure integrity of records, and that required to provide protection against loss by accident or carelessness.

Retention and disposal: Records are purged from the automated file each two years; only persons actively dealing with HEW remain on file. Code Books are replaced each year. Inactive books are destroyed.

System manager(s) and address:

Deputy Assistant Secretary, Finance
Department of HEW, Office of the Secretary
Room 705D1, Humphrey Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Inquiries are to be made, either in writing or in person, to the organization listed under "location". Give name and social security number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)). Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Grant and Contract documents. Names, social security numbers and addresses are provided by the individual when applying for a grant or contract from the Department.

Systems exempted from certain provisions of the act: None.

09-90-0039

System name: Family Educational Rights and Privacy Act—School Recordkeeping Practices Correspondence and Complaint System: HEW/OS/ASMB/FERPA.

Security classification: None.

System location:

Room 526F Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who have made inquiries or who have filed complaints alleging violations of the provisions of the Family Educational Rights and Privacy Act of 1974; and those who have commented to the Department on its proposed rules and practices.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of material associated with investigations of complaints.

Authority for maintenance of the system: The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 123g(g)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Members of Congress who inquire on behalf of a constituent; to an educational agency or institution against which a complaint has been made. See Appendix B of Departmental Regulations (45 CFR Part 5b), Items: 1, 3, 8. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard lockable file cabinets.

Retrievability: For the most part records are indexed by name of individual signing incoming correspondence; when indexed chronologically, or by organization, they are cross-indexed by name of individual signer. Records are available to FERPA staff involved in correspondence and investigative processes, including members of the Office of General Counsel. Occasionally, personnel with special expertise in other program areas may be given records for the purpose of assisting FERPA staff in resolution of issues.

Safeguards: Direct access is restricted to authorized FERPA staff; access to rooms in which files are maintained is limited during non-working hours to those with keys to rooms and the main files are left in locked file cabinets when not in use.

Retention and disposal: Inquiry records are maintained a minimum of three years; complaint and investigative records are maintained a minimum of five years past date of case closing.

System manager(s) and address:

Head, FERPA Office

Room 526F Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

Systems exempted from certain provisions of the act: None.

09-90-0003

System name: Investigative Files of the Inspector General, HEW/OS/OIG

Security classification: None.

System location:

Office of Inspector General, DHEW
Room 5246, North Bldg.
330 Independence Ave. SW.
Washington, D.C. 20201
Office of the Inspector General, DHEW
Room 4044, ROB 3
7th & D Streets SW.
Washington, D.C. 20201

Categories of individuals covered by the system: Employees; former employees, grantees; contractors; sub-contractors, carriers; State agencies; State employees, providers and recipients under DHEW programs, providers and recipients under State programs funded by the Department; and others doing business with the Department.

Categories of records in the system: Criminal Investigation Files.

Authority for maintenance of the system: 28 U.S.C. 535(b); 18 U.S.C.; P.L. 94-505; Oct 15, 1976.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Appendix B Departmental regulations (45 CFR Part 5b), Items: (1)(4), (5).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaining pertinent records, if necessary to obtain a record relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records, which take the form of index cards, computer tape files, and computer printed listings, are maintained in security type safes or lock bar file cabinets with manipulation proof combination locks.

Retrievability: The records are retrieved by manual search of alphabetical index and cross index cards listing individuals, companies and organizations.

Safeguards: Direct access is restricted to authorized staff members of the Office of Inspector General. Access within DHEW is limited.

to the Secretary, Under-Secretary, Inspector General and other officials and employees on a need-to-know basis. Intra-agency transfers are made in accordance with the statement of Organization, Functions and Delegations of Authority as set out in a notice concerning the Office of Inspector General (42 F.R. 17531, April 1, 1977). All computer files and printed listings are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HEW Information Processing Standards, HEW ADP Systems Manual, A5-10-3.

Retention and disposal: Investigative files are retained for 5 years after completion of the investigation and/or actions based thereon. Index and cross-reference cards are retained permanently. In instances of computer matching of files, only those records which meet predetermined criteria for investigation are maintained. All records which do not meet these criteria are destroyed. All original source computer tapes are returned or destroyed once computer matching has been accomplished.

System manager(s) and address:

Inspector General/Deputy Inspector General
Room 5262, North Building
U.S. Department of Health, Education, and Welfare
330 Independence Avenue S.W.
Washington, D.C. 20201

Notification procedure: Exempt, however consideration will be given requests addressed to the system manager. For general inquiries include the name and date of birth of the individual.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under system manager above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Departmental and other federal, state and local government records; interviews of witnesses; documents and other material furnished by non-government sources. Sources may include confidential sources.

Systems exempted from certain provisions of the act: General exemption (j)(2), this system was formerly known as the Investigatory materials compiles for Law Enforcement Purposes system. Pursuant to 45 C.F.R. 5b.11, (b)(2)(i)(B), 40 F.R. 47413 (Oct. 8, 1975) this system is exempt from the following subsections of the Act (c)(3), (d)(1)-(4), (e)(3), and (e)(4)(G)(H).

09-90-0078

System name:

SSI/SCS Temporary Matching File, HEW/OS/OIG.

Security classification:

System location:

Office of the Inspector General, DHEW, Room 2111, SSA Annex, Baltimore, Md. 21235.

Categories of individuals covered by the system:

All Federal employees covered under Civil Service Commission Central Personnel Data File (CPDR) who are also included in the Supplementary Security Income (SSI) file of the Social Security Administration.

Categories of records in the system:

Civil Service Commission Central Personnel Data File extract including name of employee, date of birth, Social Security Number, work status, pay grade and duty station, and Supplementary Security Income Record File data including names, Social Security Number, address, SSI application data, disability data, income and resource data and payment data used in the administration of the SSI program.

Authority for maintenance of the system: Pub. L. 94-505.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, or foreign, charged with the

responsibility of investigating or prosecuting such violation or charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

A record from this system may be disclosed as a "routine use" to a Federal, State or local agency maintaining pertinent records if necessary to obtain a record relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are stored on computer tape files and computer printed listings.

Retrievability:

The records are retrieved by computer using Social Security Number as the principal matching criterion. We disclose the records within the Department to the Social Security Administration for investigation and redetermination of SSI benefits.

Safeguards:

Direct access is restricted to authorized staff members of the Office of the Inspector General. Access within HEW is limited to those employees who are directly involved in the matching program on a need-to-know basis. Computer files and printed listing are maintained in security type safes or lock bar file cabinets. They are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standards 41 and 31, and the HEW Information Processing Standards, HEW ADP Systems Manual, Part 6, "ADP Systems Security Policy". All computer tapes are password protected prohibiting unauthorized access.

Retention and disposal:

In instances of computer matching of files, only those records which meet predetermined criteria are maintained. All records which do not meet these criteria are destroyed. All original source computer tapes will be returned within 60 days. All records obtained as a result of the matching program will be degaussed as soon as possible within 6 months except for those records which are necessary to the completion of pending law enforcement activities or administrative activities of the matching program. Paper listings will be either shredded or burned.

System manager(s) and address: Inspector General/Deputy Inspector General, Room 5262, North Building, U.S. Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201.

Notification procedure: Contact: Privacy Act Coordinator, Department of Health, Education, and Welfare, Office of the Inspector General Room 5545, North Building, 330 Independence Avenue SW., Washington, D.C. 20201.

Record access procedures: Same as notification procedure Requesters should also reasonably specify the record contents being sought.

(These access procedures are in accordance with Department Regulation (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Records are furnished from the Central Personnel Data File (CPDF) maintained by the U.S. Civil Service Commission and from the Supplemental Security Income Record (SSR) maintained by the Social Security Administration. Department of Health, Education, and Welfare.

Systems exempted from certain provisions of the act: None.

09-90-0026

System name: Congressional Biographies HEW/OS/ASL

Security classification: None.

System location:

Room 425H Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Members of Congress indexed by name.

Categories of records in the system: Personal biographies supplied by Members' offices and picture.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Biographies are maintained in ring-binders.

Retrievability: Biographies are indexed alphabetically by Member's name. Information is used for briefing Agency officials prior to meetings with respective Members of Congress or prior to giving testimony before Congressional Committees.

Safeguards: These biographies are public information, provided by the Members' offices.

Retention and disposal: Biographies are updated after each Congressional election.

System manager(s) and address: Director, Congressional Liaison Office

Office of the Assistant Secretary for Legislation
Room 425H South Portal Bldg.
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Offices of the Members of Congress.
Systems exempted from certain provisions of the act: None.

09-90-0027

System name: Congressional Correspondence Unit. HEW/OS/ASL

Security classification: None.

System location:

Room 435G Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Members of Congress indexed by name.

Categories of records in the system: Correspondence copies of direct inquiries and referrals of constituents' inquiries from Members of Congress, and responses to those inquiries, regarding the Department's activities, including, but not necessarily limited to: a. general program activities of the Department; b. individual case problems of named persons, families or institutions; c. employment or appointment interests. Control slips identifying the correspondent, the constituent on whose behalf the inquiry is made, the constituent's social security number if inquiry relates to a social security case, and a summary of the subject matter of the inquiry.

Authority for maintenance of the system: 5 USC 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Inquiries which do not pertain to HEW, but fall under the jurisdiction of another Federal Agency, are transferred to that Agency with a request that a direct response be provided to the correspondent. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files are maintained in standard file cabinets.

Retrievability: Records are indexed alphabetically by name of the Members of Congress. Inquiries are forwarded to the HEW Agency which has jurisdiction over the subject matter for preparation of a response.

Safeguards: Records are kept in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Records are reviewed biannually. Correspondence which reflects final disposition of an inquiry dated one year previous is discarded. Control slip files for intra-Agency transfers are discarded after two calendar years. Control slip files for inter-Agency transfers are discarded after five years.

System manager(s) and address:

Director, Congressional Liaison Office
Office of the Assistant Secretary for Legislation
Room 435G South Portal Bldg.
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: System Manager; address same as above. The name of the person who corresponded with the Department with reference to the constituent and the approximate date of that correspondence must be provided.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information in CCU files is provided by the correspondent and by the agency which prepares the final response.

Systems exempted from certain provisions of the act: None.

09-90-0072

System name: Congressional Grants Notification Unit. HEW/OS/ASL

Security classification: None.

System location:

Room 435G Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Members of Congress.

Categories of records in the system: Notification form of grants or contract awards made by HEW. The form contains the name and address of the project director, the purpose of the grant or contract, and the HEW program involved.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files are maintained in standard file cabinets.

Retrievability: Files are indexed by State Congressional Districts with the name of the Congressional Representative of that District on the file. Records are retrieved by name. The staff uses this system for the following purposes: 1) To answer questions in the short term about amounts of HEW grant funds going into areas of the country according to congressional districts. 2) To verify that actual notification to members offices of awards has been made.

Safeguards: These records are public information and available on request.

Retention and disposal: Grant notification files are discarded after two calendar years.

System manager(s) and address:

Director, Congressional Liaison
Office of the Assistant Secretary for Legislation
Room 435G South Portal Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Same as above. The Congressional District or name of the Congressional Representative of that district and the approximate date of the award must be provided.

Record access procedure: Address same as above.

Contesting record procedures: Address same as above.

Record source categories: Agencies within the Department making the grant/contract awards.

Systems exempted from certain provisions of the act: None.

65-90-0023

System name: Biographies and Photographs of HEW Officials HEW/OS/ASPA

Security classification: None.

System location:

Office of the Assistant Secretary for Public Affairs
Public Information Division
Room 638E, Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201 (see Appendix 1 following).

Categories of individuals covered by the system: HEW employees in key management and technical positions, such as the Secretary, Under Secretary, Assistant Secretaries, Deputy Assistant Secretaries, Commissioners, Regional Directors, Deputy Regional Directors, Agency Heads, Unit Managers.

Categories of records in the system: Biographical files consist of approved, printed personal and professional resumes and standard portrait pictures and biographical and professional questionnaires providing name, title, office location, telephone number, date of appoint-

ment to HEW, home address, home telephone, date of birth, place of birth, marital status, spouse's name, children's names, children's date of birth, education, military service, professional career data, professional affiliations, publications and articles authored, awards, citations, prizes and honors received, civic, social and fraternal associations, outside interests, such as hobbies, sports, recreation.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in individual and combined files and stored in standard five-drawer file cabinets in the offices listed under System Location.

Retrievability: Records are indexed by the name, in alphabetical order, of those in higher management and technical positions with the remainder combined in a 'miscellaneous' folder or folders. These records are made available to staff of the Department who have a need for photos of background information on these officials.

Safeguards: Files are maintained in the offices of Public Affairs and requests are honored on a 'need to know' basis only.

Retention and disposal: Records are periodically updated as circumstances warrant relative to promotions, reassignment, resignations, death.

System manager(s) and address: Same as in Location above and Appendix 1.

Notification procedure: Contact System Managers in areas where individual is employed. Addresses same as above, with the exception of Food and Drug Administration, contact:

FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20857

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)), Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information contained in the biographies comes from the individuals whose biographies they form and from other material furnished by agency public information offices. The biographies are cleared with the individuals whose biography they represent prior to release to the public and the news media.

Systems exempted from certain provisions of the act: None.

Appendix 1

Public Affairs Officer
Alcohol, Drug Abuse, and Mental Health Administration
Room 6c-15, 5600 Fishers Lane
Rockville, Maryland 20857

Public Affairs Officer
Center for Disease Control
Room 2067, Building 1
1600 Clifton Road
Atlanta, Georgia 30333

Public Affairs Officer
Food and Drug Administration
Room 15B42, 5600 Fishers Lane
Rockville, Maryland 20857

Public Affairs Officer
Health Resources Administration
Room 1030, Center Building
3700 East-West Highway
Rockville, Maryland, 20782

Public Affairs Officer
Health Services Administration
Room 14A55, 5600 Fishers Lane
Rockville, Maryland 20857

Public Affairs Officer
National Institute of Education
Room 717, Brown Building
1200-19th Street, N.W.
Washington, D.C. 20208

Public Affairs Officer
National Institutes of Health
Room 309, Building 01
9000 Rockville Pike
Bethesda, Maryland 20014

Public Affairs Officer
Office of Education
Room 2097, FOB 06
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Public Affairs Officer
Health Care Financing Administration
Room 5221, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Public Affairs Officer
Social Security Administration
Room 944, 6401 Security Boulevard
Baltimore, Maryland 21235

Public Affairs Officer
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

Public Affairs Officer
Department of Health, Education, and Welfare
Federal Building
26 Federal Plaza
New York, New York 10007

Public Affairs Officer
Department of Health, Education, and Welfare
3535 Market Street
Philadelphia, Pennsylvania 19101

Public Affairs Officer
Department of Health, Education, and Welfare
101 Marietta Towers
Suite 1403
Atlanta, Georgia 30323

Public Affairs Officer
Department of Health, Education, and Welfare
300 South Wacker Drive, 35th Floor
Chicago, Illinois 60606

Public Affairs Officer
Department of Health, Education, and Welfare
1200 Main Tower Building, 11th Floor
Dallas, Texas 75202

Public Affairs Officer
Department of Health, Education, and Welfare
601 East 12th Street
Kansas City Missouri 64106

Public Affairs Officer
Department of Health, Education, and Welfare
19th and Stout Sts., RM10006-Fed Ofc. Bldg
Denver, Colorado 80294

Public Affairs Officer
Federal Office Building
50 United Nations Plaza
San Francisco, California 94102

Public Affairs Officer
Department of Health, Education, and Welfare
Arcade Plaza
1321 Second Avenue
Seattle, Washington 98101

09-90-0058

System name: Freedom of Information Case file and Correspondence
Control Index. HEW OS-ASPA-FOIA.

Security classification: None.

System location:

Room 118F Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201
(See Appendix 1 following)

Categories of individuals covered by the system: Individuals or organizations requesting access to inspect and/or copy records of the Department under provisions of the Freedom of Information Act.

Categories of records in the system: Name, address, and other individually identifying information about the requestor and the records sought.

Authority for maintenance of the system: Freedom of Information Act, P.L. 93-502 (5 U.S.C 552) HEW Public Information Regulation (45 CFR, 5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information will be released for the purposes cited in HEW proposed regulations, Appendix B, parts 3, 8, and 9. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original or copy of incoming request and written response maintained in case file jackets and corresponding control log.

Retrievability: For the most part records are indexed by name of individual requestor. Records are available to FOI staff involved in correspondence and investigative processes, including appeals officials and members of the Office of General Counsel.

Safeguards: Records are maintained in Conserva-File cabinets in the offices of the Freedom of Information Officers and public affairs officers throughout the Department with limited access.

Retention and disposal: Individual case files are maintained for two years and then disposed of.

System manager(s) and address:

Freedom of Information Officer, PA
Room 118F, Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201
(See Appendix I following)

Notification procedure: System Managers. Addresses same as above with the exception of Food and Drug Administration, contact:

FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20857

Record access procedures: Access to these records may be obtained by request in writing or in person to FOI Officer and public affairs officers throughout the Department, addresses same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals and organizations making requests under the Freedom of Information Act or from components of the Department reporting on the handling of such requests for inclusion in the annual report to Congress.

Systems exempted from certain provisions of the act: None.

Appendix I

Public Affairs Officer
Alcohol, Drug Abuse, and Mental Health Administration
Room 6C-15, 5600 Fishers Lane
Rockville, Maryland 20857

Public Affairs Officer
Center for Disease Control
Room 2067, Building B
1600 Clifton Road
Atlanta, Georgia 30333

Public Affairs Officer
Food and Drug Administration
Rm 15B42, 5600 Fishers Lane
Rockville, Maryland 20857

Public Affairs Officer
Health Resources Administration
Room 1030, Center Building
3700 East-West Highway
Rockville, Maryland 20782

Public Affairs Officer
Health Services Administration
Room 14A55, 5600 Fishers Lane
Rockville, Maryland 20857

Public Affairs Officer
National Institute of Education
Room 717, Brown Building
1200 19th Street N.W.
Washington, D.C. 20208

Public Affairs Officer
National Institutes of Health
Room 309, Building 01
9000 Rockville Pike
Bethesda, Maryland 20014

Public Affairs Officer
Office of Education
Room 2097, FOB 06
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Public Affairs Officer
Health Care Financing Administration
Room 5221, Mary E. Switzer Building
330 C Street, S.W. Washington, D.C. 20201

Public Affairs Officer
Social Security Administration
Room 944, 6401 Security Boulevard
Baltimore, Maryland 21235

Public Affairs Officer
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

Public Affairs Officer
Department of Health, Education, and Welfare
Federal Building
26 Federal Plaza
New York, New York 10007

Public Affairs Officer
Department of Health, Education, and Welfare
3535 Market Street
Philadelphia, Pennsylvania 19101

Public Affairs Officer
Department of Health, Education, and Welfare

101 Marietta Tower, Suite 1403
Atlanta, Georgia 30323

Public Affairs Officer
Department of Health, Education, and Welfare
300 South Wacker Drive, 35th Floor
Chicago, Illinois 60606

Public Affairs Officer
Department of Health, Education, and Welfare
1200 Main Tower Building, 11th Floor
Dallas, Texas 75202

Public Affairs Officer
Department of Health, Education, and Welfare
601 East 12th Street
Kansas City, Missouri 64106

Public Affairs Officer
Department of Health, Education, and Welfare
19th & Stout Sts, Rm. 10006-Fed. Ofc. Bldg.
Denver, Colorado 80202

Public Affairs Officer
Federal Office Building
50 United Nations Plaza
San Francisco, California 94102

Public Affairs Officer
Department of Health, Education, and Welfare
Arcade Plaza
1321 Second Avenue
Seattle, Washington 98101

09-90-0037

System name: Secretariat Correspondence Control System. HEW/OS/ES

Security classification: Security Classification: None.

System location: System location:

Room 602C Humphrey Build.
200 Independence Avenue SW.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who have contacted the Secretary or the Under Secretary or who have been contacted in writing by them.

Categories of records in the system: Control information from the Secretary's and Under Secretary's correspondence to include a subject narrative, organization drafting the response, and type of action required from the Department. This information is contained on hardcopy printouts, computer magnetic tape, and computer disk units.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: "Records are maintained as follows: hardcopy printouts are stored in standard file cabinets in a locked area; computer records are stored on either magnetic tape resident in a computer tape library, or on an on-line computer disk unit at the operational computer site."

Retrievability: Records are indexed chronologically by date of correspondence and also by name, subject and numerical control number. Records are available to staff responsible for preparation of responses to inquiries and to the staff of the Executive Secretariat. Records are used for control and reference purposes in staffing out

issues and correspondence of concern to the Secretary or the Under Secretary.

Safeguards: Direct access is limited to the staff of the Executive Secretariat and POC staff control personnel to both hardcopy and computer resident records. Access is limited during non-working hours to the hardcopy records to those individuals with keys to both the file cabinets and rooms where the records are stored. Remote computer terminal locations are protected with individual user identification numbers and passwords to the computer system. Where possible, computer terminal locations are locked during non-working hours.

Retention and disposal: Hard Copy records are retired to the National Archives after two years. Control records are maintained indefinitely. Computer records are purged after correspondence is finalized for 60 days.

System manager(s) and address:

Executive Secretary to the Department
Room 636G, South Portal Bldg.
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Inquiries should be addressed to the System Manager. The inquirer should indicate the individual with whom the Secretary or Under Secretary corresponded, the date of the incoming correspondence and the date of the outgoing correspondence from the Secretary or the Under Secretary. Address is same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Computer records are derived from the incoming correspondence for the Secretary and the Under Secretary.

Systems exempted from certain provisions of the act: None.

09-90-0038

System name: Secretary's Official Files. HEW/OS/ES

Security classification: None.

System location:

Room 636G, Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who have contacted the Secretary or the Under Secretary or who have been contacted in writing by them.

Categories of records in the system: Hard copies of documents signed or initiated by the Secretary or the Under Secretary.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard copy filed in standard file cabinets.

Retrievability: Records are indexed by subject, name and organization. Records are available to the staff of the Executive Secretariat for reference purposes in staffing out issues of concern to the Secretary or the Under Secretary.

Safeguards: Direct access is limited to the staff of the Executive Secretariat. Access is limited during non-working hours to individuals with keys to the file room.

Retention and disposal: Records are maintained for three years and are then sent to the National Archives.

System manager(s) and address:

Executive Secretary to the Department
Room 636G, Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Inquiries should be addressed to the system manager at the above address. The inquirer should indicate the subject matter of the issue involved, the date of the subject documents, and the author and/or addresses.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records are derived from documents signed or initiated by the Secretary or the Under Secretary.

Systems exempted from certain provisions of the act: None.

09-90-0041

System name: Consumer Mailing Lists. HEW/OS U.S.OCA

Security classification: None.

System location:

624 Reporters Bldg.
7th and D Sts., S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individual consumers media representative business and government officials.

Categories of records in the system: Names and address of individuals requesting consumer information.

Authority for maintenance of the system: Executive Order 011583 of February 24, 1971 and Reorganization Plan 01 of 1953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the U.S. OCA Consumer Information staff to distribute information on current consumer topics to consumers, business, government and the media. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Conventional file cabinets, and computers.

Retrievability: By name.

Safeguards: Personnel screening during working hours and secured building after working hours.

Retention and disposal: Files are updated quarterly and disposed of through normal trash and erasure of computer tapes.

System manager(s) and address:

Director, Consumer Information
624 Reporters Bldg.
7th and D Sts., S.W.
Washington, D.C. 20201

Notification procedure: Director, Officer of Management and Consumer Complaints

626 Reporters Bldg.
7th and D Sts., S.W.
Washington, D.C. 20201

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify

fy the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Correspondence and telephone calls from individual consumers, business and government officials.

Systems exempted from certain provisions of the act: None.

09-90-0046

System name: Consumer Complaint Correspondence System HEW/ U.S./OCA

Security classification: None.

System location:

Room 628 Reporters Building
7th and D Sts., S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individual Consumers.

Categories of records in the system: Correspondence concerning consumer complaints.

Authority for maintenance of the system: Executive Order 011583, February 24, 1971; Reorganization Plan 01 of 1953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Resolution of individual citizen complaints through referral to other Federal agencies, non-Federal governments, voluntary groups and private business firms; to meet requests for specific statistical data on consumer complaints requested by the Congress and the Office of Management and Budget, White House Office, and from other Federal agencies as well as the media (e.g. requests for information on availability of canning jar lids); and to make records available when discovery service incident to a regular action is presented to the Office of Consumer Affairs. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any Component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual files in cabinets, and statistical information maintained in computer system.

Retrievability: Data acquired through sequential identification numbers. Primary usage is development of internal statistical data for office management purposes particularly in identifying trends in consumer complaints.

Safeguards: Personnel screening during working hours and secured building after working hours.

Retention and disposal: Records prior to August 1, 1974 have been shipped to the Presidential Library System for permanent retention. Records received subsequent to August 1, 1974 are retained for not less than one nor more than two fiscal years. Computerized records limited to six-month period.

System manager(s) and address:

Director, Office of Management & Consumer Complaints
626 Reporters Bldg.
7th and D Sts., S.W.
Washington, D.C. 20201

Notification procedure: System manager. Address is same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Correspondence and telephone calls from individual consumers.

Systems exempted from certain provisions of the act: None.

09-90-0050

System name: Case Information Management System HEW OS/OCR.

Security classification: None.

System location: See Appendix 1.

Categories of individuals covered by the system: Persons filing complaints with the Office of Civil Rights.

Categories of records in the system: Name, characteristics of the complaint and critical events in OCR's processing of the complaints.

Authority for maintenance of the system: Title VI of the Civil Rights Act of 1964, Title IX and VII of the Education Amendments of 1972, Sections 799A and 845 of the Public Health Services Act, Section 504 of the Rehabilitation Act of 1973.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Report on current status of complaint processing. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disc and tape.

Retrievability: Records are indexed by case or complaint number, but may be recalled by name, address, or any other characteristic by OCR staff engaged in compliance activities.

Safeguards: The physical data processing storage is controlled by a private company under a GSA contract which includes appropriate security measures. This agency references data through communication terminals with access controlled by passwords.

Retention and disposal: Indefinite retention. Disposal by electronic erasure.

System manager(s) and address:

Deputy Director, Management and Administration
Office for Civil Rights
330 Independence Ave., S.W.
Room 5075 - North Building
Washington, D.C. 20201

Notification procedure: System Manager (above). Provide name, address, and name of institution, contractor, or HEW program with which individual has contact.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Information in complaint investigation files.

Systems exempted from certain provisions of the act: None.

Appendix Number 1 System Locations

This system is located at HEW offices in the following cities:

HEW, Office for Civil Rights
330 Independence Avenue, S.W.
Washington, D.C. 20201

Region I, Regional CR Director
140 Federal Street
Boston, Massachusetts 02110

Region II, Regional CR Director
26 Federal Plaza
New York, New York 10007

Region III, Regional CR Director
3535 Market Street, Post Office Box 13716
Philadelphia, Pennsylvania 19101

Region IV, Regional CR Director
101 Marietta Street
Atlanta, Georgia 30303

Region V, Regional CR Director
300 South Wacker Drive, 8th Floor
Chicago, Illinois 60606

Region V, Regional CR Director
Plaza Nine Building, 55 Erieview Plaza
Cleveland, Ohio 44114

Region VI, Regional CR Director
1200 Main Tower Building
Dallas, Texas 75202

Region VII, Regional CR Director
12 Grand Building, 1150 Grand Avenue
Kansas City, Missouri 64106

Region VIII, Regional CR Director
Federal Building, 1961 Stout Street
Denver, Colorado 80294

Region IX, Regional CR Director
100 Van Ness Ave.
San Francisco, California 94102

Region X, Regional CR Director
1321 Second Avenue, MS/508
Seattle, Washington 98101

09-90-0051

System name: Complaint Files and Log, Office of Management and Administration, HEW-OS-OCR-OMA.

Security classification: None.

System location: See Appendix 1 to Case Information Management System, HEW OS/OCR SYSTEM 01.

Categories of individuals covered by the system: Individuals who file complaints with the Department concerning discrimination under Title VI, Title IX, PHSA, and Section 504.

Categories of records in the system: Complaint allegation, results of investigation of the allegation, correspondence related to the complaint.

Authority for maintenance of the system: Title VI of the 1964 Civil Rights Act; Title IX of the Education Amendments of 1972; Emergency School Assistance Act; Titles VII & VIII of the Public Health Service Act; Section 504 of the 1973 Rehabilitation Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files are maintained to record the results of the investigation so that OCR can determine if there was discrimination as charged in the original complaint. Files are routinely reviewed by the Office of General Counsel, HEW, and may be referred, as necessary, for similar purposes to the Departments of Justice, and Labor or the Equal Employment Opportunity Commission. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Categories of users include OCR investigators, team leaders, branch chiefs,

division directors, PRMs unit staff, Office of Management and Enforcement staff.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and file cards.

Retrievability: By name for use by OCR staff in complaint investigations.

Safeguards: Printed materials are filed in lockable cabinets. The Department's Regulations (ADP Systems Security, part 6) govern the control.

Retention and disposal: 2 years.

System manager(s) and address:

Deputy Director, Management and Administration
Office for Civil Rights
330 Independence Avenue, SW.
Room 5077, North Building
Washington, D.C. 2021

Notification procedure: System manager (above). Include name and address of complainant, a copy or summary of allegations contained in the original complaint, name of the institution against which the allegation was filed, and the date of the original allegation.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Complaint information filed with the Department by or on behalf of the individual complainant, also data provided by the alleged discriminator and other parties.

Systems exempted from certain provisions of the act: None.

09-90-0056

System name: New Orleans Louisiana Review, HEW OS-OCR-C & E-H.

Security classification: None.

System location: See Appendix 1 To Case Information Management System, HEW, OS, OCR-01.

Categories of individuals covered by the system: Physicians in New Orleans referring patients to hospitals.

Categories of records in the system: Individual physician's name and address.

Authority for maintenance of the system: Title VI of the Civil Rights Act of 1964 (42 USC 2000d, 45 CFR Part 80), under court order.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Department Regulations (45 CFR Part 5b) Appendix B (1). Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or an employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards in Room 1075 HEW North.

Retrievability: Card file is used in data processing.

Safeguards: Card file is in locked room.

Retention and disposal: 10 years.

System manager(s) and address:

Deputy Director, Management and Administration
Office for Civil Rights
330 Independence Avenue, S.W.

Room 5075 - North Building
Washington, D.C. 20201

Notification procedure: System Manager (above).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Data were provided by New Orleans, Louisiana Hospitals.

Systems exempted from certain provisions of the act: None.

09-90-0062

System name: Administrative Claims. Hew/OS/OGC.

Security classification: None.

System location: See Appendix.

Categories of individuals covered by the system: HEW employees, recipients of Federal assistance under HEW funded programs, and members of the public who have a claim against HEW or against whom HEW has a claim—Federal Torts Claims Act, Military Personnel and Civilian Employees Claims Act, Federal Claims Collection Act, Federal Medical Care Recovery Act, Act for Waiver of Overpayment of Pay.

Categories of records in the system: Information that is pertinent to the particular claim being asserted, including accident reports, hospital records, charges for medical services; certifications of overpayments, audits of payroll accounts during periods of overpayments, earning and leave statements; claims officers memorandum, final determinations made on claims, identity of debtors and information pertaining to how debts arose.

Authority for maintenance of the system: Federal Tort Claims Act, 28 U.S.C. 2671-2680, 1346(b); Waiver of Overpayment of Pay Act, 5 U.S.C. 5584; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240 et seq.; Federal Claims Collection Act, 31 U.S.C. 951-953; Federal Medical Care Recovery Act, 42 U.S.C. 2651-2653.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses of these records are primarily for adjudicating claims between the U.S. and private parties. Records are used in communicating with, among others, Federal, State, and local law enforcement agencies, private individuals, private and public hospitals, allegedly negligent parties, private attorneys, insurance companies, the United States Attorney and other Federal officials and agencies, individual law enforcement officers, and tribal officials. These communications are all for the purpose of investigating, settling, or litigating claims. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. See also Appendix B, of Departmental Regulations, (45 CFR Part 5b), items: (1), (3), (4), (5), (8), (100).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal size files in filing cabinets.

Retrievability: Retrieved by name of the non-Government party, whether claimant, plaintiff, or alleged debtor. In some instances, these records are retrievable by cross reference to index cards, containing name of the party involved and the subject matter.

Safeguards: Office buildings in which files are kept are locked after the close of the business day. These files are only accessible to General Counsel staff.

Retention and disposal: The records are maintained for an indefinite duration.

System manager(s) and address: The agency official responsible for the system policies and practices outlined above is:

The General Counsel
Department of Health, Education, and Welfare
Office of the General Counsel
Room 722A, Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be addressed to the System Manager. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6) Federal Register, October 8, 1975, page 47411.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information in this system comes from a number of sources including private individuals, private and public hospitals, doctors, law enforcement agencies and officials, private attorneys, accident reports, third parties, claimants or beneficiaries and their relatives, other Federal agencies, State and local governments, agencies and instrumentalities.

Systems exempted from certain provisions of the act: None.

Appendix

Office of the General Counsel—Headquarters Offices
Department of Health, Education, and Welfare
Humphrey Building, Room 722A
200 Independence Avenue, S.W.
Washington, D.C. 20201

Office of the General Counsel
Regional Attorney - Region I
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

Office of the General Counsel
Regional Attorney - Region II
Department of Health, Education, and Welfare
Room 3914
26 Federal Plaza
New York, New York 10007

Office of the General Counsel
Regional Attorney - Region III
Department of Health, Education, and Welfare
P.O. Box 13716
Philadelphia, Pennsylvania 19104

Office of the General Counsel
Regional Attorney - Regional IV
Department of Health, Education, and Welfare
Room 323 (Location); Room 131 (Mailing)
Peachtree Seventh Street, N.E.
Atlanta, Georgia 30323

Office of the General Counsel
Regional Attorney - Region V
Department of Health, Education, and Welfare
300 South Wacker Drive
18th Floor
Chicago, Illinois 60606

Office of the General Counsel
Regional Attorney - Regional VI
Department of Health, Education, and Welfare
Room 1330
1200 Main Tower Building
Dallas, Texas 75202

Office of the General Counsel
Regional Attorney - Region VII
Department of Health, Education, and Welfare
Room 601
601 East 12th Street
Kansas City, Missouri 64106

Office of the General Counsel
Regional Attorney - Region VII
Department of Health, Education, and Welfare
Room 601
601 East 12th Street
Kansas City, Missouri 64106

Office of the General Counsel
Regional Attorney - Region VIII
Department of Health, Education, and Welfare
Room 11443
Federal Office Building
19th and Stout Streets
Denver, Colorado 80294

Office of the General Counsel
Regional Attorney - Region IX
Department of Health, Education, and Welfare
50 Fulton Street
San Francisco, California 94102

Office of the General Counsel
Regional Attorney - Regional X
Department of Health, Education, and Welfare
MS 624 Arcade Plaza Building
1321 Second Avenue
Seattle, Washington 98101

09-90-0064

System name: Litigation Files, Administrative Complaints, and Adverse Personnel Actions. HEW/OS/OGC

Security classification: None.

System location: See Appendix on the Administrative Claims system, 09900062.

Categories of individuals covered by the system: The individuals on whom records are maintained in this system are individuals who are involved in litigation with the Department or the United States (regarding matters within the jurisdiction of the Department) either as plaintiffs or as defendants in both civil and criminal matters, and individuals who either file administrative complaints with the Department or are the subjects of administrative complaints initiated by the Department, except claims which are the subjects of records maintained in the Administrative Claims System, 09900062.

Categories of records in the system: These records contain information pertaining to the subject matter of the litigation, administrative complaint, or adverse personnel action. Such records would include complaints, litigation reports, administrative transcripts, various litigation documents, investigative materials, correspondence, briefs, court orders and judgments, and in cases where personnel injury is involved, principally malpractice cases, evaluations by physician specialists (Public Health Service, Armed Forces, Institute of Pathology).

Authority for maintenance of the system: The authority for maintaining this system are the various statutes, regulations, rules or orders pertaining to the subject matter of the litigation, administrative complaint or adverse personnel action, (e.g., Public Health Service Act, Social Security Act, Civil Rights Act, Federal Food, Drug and Cosmetic Act).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of

Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. See Appendix B, Departmental Regulations, (45 CFR Part 5b), items: (1), (3), (4), (5), (8), (100).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records consist of legal size files stored in file cabinets.

Retrievability: These records are retrievable by name of the plaintiff or the first plaintiff if there is more than one, or by the name of the first defendant if the plaintiff is the United States. In the case of adverse personnel actions, records are retrievable by name of the individual involved.

Safeguards: Office buildings in which these records are maintained are locked after the close of the business day. These records are only accessible by General Counsel staff.

Retention and disposal: These records are maintained for an indefinite duration.

System manager(s) and address: The agency official responsible for the system policies and practices outlined above is:

The General Counsel
Department of Health, Education, and Welfare
Office of the General Counsel
South Portal Building, Room 722A
200 Independence Avenue, S. W.
Washington, D. C. 20201

Notification procedure: Any inquiries regarding these systems of records should be addressed to the System Manager. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6) Federal Register, October 8, 1975, page 47411.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information for this system is obtained through a number of sources including the exchange of legal pleadings, documents, formal and informal discovery, program offices and component agencies, private attorneys, State and local governments, their agencies and instrumentalities, and officers of other Federal agencies and the individuals involved.

Systems exempted from certain provisions of the act: None.

09-90-0065

System name: Conflict of Interest—Standards of Conduct Records. HEW/OS/OGC

Security classification: None.

System location: See Appendix on the Administrative Claims system—09900062.

Categories of individuals covered by the system: Information about current and past HEW employees who are or have been the subject of conflict of interest or standards of conduct inquiries or determinations.

Categories of records in the system: These records include information relating to acceptance or offer of gifts, entertainment and favors, outside employment; financial interests; use of government funds, property or official information; partisan political activity; or other matters relating to ethical standards of conduct.

Authority for maintenance of the system: 18 U.S.C. 202, 203, 205, 207, 208, 209; Executive Order 11222; and, 5 CFR 735.104, 45 CFR Part 73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the

United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. See Appendix B, Departmental Regulations (45 CFR Part 5b) items: (1), (3), (4), (5), (8), (100).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are kept in legal size files in filing cabinets.

Retrievability: These records are retrievable by name in most cases. In some instances, these records are retrievable by cross reference to index cards containing the name of the party involved and the subject matter.

Safeguards: These records are only accessible to General Counsel staff. Office buildings in which these records are maintained are locked after the close of the business day.

Retention and disposal: The records are maintained for an indefinite duration.

System manager(s) and address: The agency official responsible for the systems policies and practices outlined above is:

The General Counsel;
Department of Health, Education, and Welfare
Office of the General Counsel
Humphrey Building, Room 722A
200 Independence Ave., S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information contained in this system comes from the individuals involved and from appropriate Department officials.

Systems exempted from certain provisions of the act: None.

09-90-0066

System name: OGC-Attorney Applicant Files HEW-OS-OGC.

Security classification: None.

System location: See Appendix on the Administrative Claims System—09900062

Categories of individuals covered by the system: Current Attorney Applicants for positions in the Office of the General Counsel.

Categories of records in the system: The Attorney Applicant system consists of a variety of records relating to persons applying for attorney positions. These records contain information about an individual's birth date; home address; telephone number; social security number; educational background (e.g., law schools attended and grades); past work experience; writing samples furnished on request; recommendations from past employers and academic officials.

Authority for maintenance of the system: 5 U.S.C. 3301 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, alphabetized by name, and in some cases the records are separated by individual law school affiliation and by the date the application is received. In some instances records are located in lockable conserva-file cabinets and in a locked secured room with access limited to those officials whose duties require access. In other instances records are maintained in file rooms or with other Office of the General Counsel files.

Retrievability: These records are retrievable by name.

Safeguards: Access is limited to those HEW officials whose duties require access.

Retention and disposal: These records are retained in a current system for one year, and in some instances two years, after which time they are discarded.

System manager(s) and address: The agency official responsible for the systems policies and practices outlined above is:

The General Counsel
Department of Health, Education, and Welfare
Office of the General Counsel
Humphrey Building, Room 722A
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records comes from the individual to whom it applies law school officials and past employers.

Systems exempted from certain provisions of the act: None.

09-90-0067

System name: Invention reports submitted to the Department of Health, Education, and Welfare by its employees, grantees, fellowship recipients, and contractors. HEW-OS-OGC.

Security classification: None.

System location:

Office of the General Counsel
Patent Branch
Westwood Building—Room 5A03
5333 Westbard Avenue
Bethesda, Maryland 20016

Categories of individuals covered by the system: Department employees, investigators funded under HEW research grants, fellowship awardees, investigators funded under HEW research contracts.

Categories of records in the system: Invention reports.

Authority for maintenance of the system: 45 CFR Parts 6-8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Justice Claims Section for purpose of defending the Government in litigation.

Scientific personnel, both in this agency, and other Government agencies, and in non-Governmental organizations (such as Universities), who possess the expertise to understand the invention and evaluate its importance as a scientific advance.

Contract patent counsel and their employees and foreign contract personnel retained by the Department for patent searching and prosecution in both the United States and foreign Patent Offices.

All other Government agencies whom we contact regarding possible use, interest in, or ownership rights in our inventions.

Prospective licensees or technology finders who may further make the invention available to the public through sale, use or publication.

Parties, such as supervisors of inventors, whom we contact to determine ownership rights, and those parties contacting us to determine the Government's ownership.

The United States and foreign Patent Offices for our filing of patent applications. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the

congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are kept in individual file folders.

Retrievability: Indexed by both inventor's name and case identification number.

Safeguards: During normal business hours a member of the staff of the Patent Section regulates the availability of the files. During evening and weekend hours, the building is closed, with a guard at the front entrance, and only personnel authorized to be in the building are permitted entry.

Retention and disposal: The records are maintained here for the life of any patent issued (seventeen years), for seven years for any invention which is not patented, and they are sent to the Federal Records Center for retention when they are no longer required here.

System manager(s) and address:

Patent Counsel
Department of Health, Education, and Welfare
Westwood Building—Room 5A03
5333 Westbard Avenue
Bethesda, Maryland 20016

Notification procedure: An individual is required to provide his own name together with that of any other individual who contributed to the making of an invention, on which the system contains a record. Any inquiries regarding these systems of records should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record, and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information comes from the inventors, their supervisors, other scientists with expertise in the particular area of the invention, scientific publications, newspapers, contract patent counsel who have searched and/or prosecuted the invention, and commercial organizations.

Systems exempted from certain provisions of the act: None.

09-90-0068

System name: Federal Private Relief Legislation. HEW/OS/OGC.

Security classification: None.

System location: This system is located in the:

Division of Legislation
Office of the General Counsel
Office of the Secretary
Room 427 D, Humphrey Building
Department of Health, Education, and Welfare
200 Independence Ave., S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Private individuals, groups, or institutions for whom a United States Congressman or Senator has introduced a private relief bill.

Categories of records in the system: Background which gives rise to the individual's, group's or institution's claim for private relief legislation.

Authority for maintenance of the system: 5 U.S.C. 301; OMB Circular A-19.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information is used to prepare reports to the Congress, most commonly to the Judiciary

Committees of the Senate and the House of Representatives, which reports are thereafter made available to the public under the provisions of 5 U.S.C. 552. In connection with the preparation of those reports, the information contained in this system of records will, as a routine use be disclosed to officers and employees of the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19, at various stages of the legislative coordination and clearance process as set forth in that Circular, and may, as a routine use, be disclosed to officers or employees of agencies (as defined in 5 U.S.C. 551(i) and 552(e) other than the agency that maintains the record. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders kept in legal size filing cabinets.

Retrievability: By bill number using card systems maintained by name and by subject.

Safeguards: Immediate access to these records are only by authorized staff. Building is locked at close of business.

Retention and disposal: Retained indefinitely either at System Location or at Federal Record Center where files are sent on a regular, predetermined schedule.

System manager(s) and address:

Chief, Legislative Reference and Control Service
Division of Legislation
Office of the General Counsel
Department of Health, Education and Welfare
Room 427 D, Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding the records in question should be made to the System Manager.

Record access procedures: Same as notification procedures. Requester should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information in this system comes from the principal operating components of the Department, the Public Health Service Agencies, the Education Agencies, the Office of the Secretary, Congressional Committees, individual Congressmen and Senators, and, in some cases, the subject individual, group, or institution.

Systems exempted from certain provisions of the act: None.

09-90-0071

System name: Social Security Code Cards. HEW/OS/OGC.

Security classification: None.

System location:

Office of the Regional Attorney
Department of Health, Education, and Welfare
19th and Stout Streets
Denver, Colorado 80294

Categories of individuals covered by the system: Individuals referred to in this system are Social Security claimants or wage-earners who have been the subject of Social Security Precedent opinions.

Categories of records in the system: The information in this system consists of the name of the individual on a 3x5 card and a code which cross-references to the location of the actual opinion. These

cards are separate and distinct from the digest cards which are distributed nationally by the Office of the General Counsel.

Authority for maintenance of the system: 44 U.S.C. Section 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The subject information is kept on 3 x 5 cards which are kept in an office locked after the close of the business day. The opinions which are cross-referenced by the cards are kept in the files in the same office.

Retrievability: Retrievable by name. These cards are used to enable the researcher to obtain the appropriate social security precedent opinion which may then be cited in subsequent opinions distributed within OGC and SSA.

Safeguards: Office locked at the close of the business day.

Retention and disposal: Retained indefinitely at system location or at Federal Records Center where files are sent on a regular predetermined schedule.

System manager(s) and address: The agency official responsible for the system policies and practices outlined above is:

Regional Attorney
Department of HEW
19th and Stout Streets
Denver, Colorado 80294

Notification procedure: Any inquiries regarding the records in question should be made at the above address where the records are kept. Required identifying information will be in keeping with Departmental requirements.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The information on the cards is gleaned from precedent opinions nationwide as well as those issued from Region VIII.

Systems exempted from certain provisions of the act: None.

09-90-0074

System name: Federal Parent Locator System. HEW OCSE.

Security classification: None.

System location:

Office of Child Support Enforcement
Department of Health, Education, and Welfare
6110 Executive Blvd.
Rockville, Md. 20852

Categories of individuals covered by the system: Records are maintained on parents being sought for the purpose of establishing or enforcing support obligations against such a parent.

Categories of records in the system: Name of Absent Parent, Social Security Number (when available), Date of Birth, Place of Birth, Mother's maiden name, father's full name, State case identification number, local identification number (State use only), State or locality originating request, date of origination, type of case (AFDC, non-AFDC full service, non-AFDC locate only), type of military service (Army, Navy, Marines, Air Force, Coast Guard, not in service), retired military (yes or no), Veteran's Benefits (yes or no), Federal

employee (yes or no), recent employer's address, known alias (last name only), date requests sent to Federal departments (SSA, IRS, DOD, NPRC, VA), date of Federal departments' responses, and indication of the type of information received; such as last home or employer address was returned, and/or a Social Security Number was returned from the Social Security Administration, or no address information was returned. The actual information returned pursuant to a request retained in a separate file long enough to communicate that information to the State. (See Retention and Disposal section below).

Authority for maintenance of the system: Public Law 93-647.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Federal Parent Locator Service will use the records maintained in the system to: (1) Request the most recent home address and/or place of employment from any department, agency, or instrumentality of the Federal Government or State which might have such records in its files; (2) Provide the most recent home address, most recent place of employment, and Social Security Number to the appropriate IV-D agency for its use in locating absent parents to establish or enforce a child support obligation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: PLS records are maintained on disk and magnetic tape, and hard copy. The record is defined as a request for address information.

Retrievability: System records can be accessed by either a State assigned case identification number or Social Security Number.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

All requests must be certified by the State IV-D Agency such that: (1) they are being made to locate an absent parent for the purpose of establishing paternity or securing child support and for no other purpose; (2) the State IV-D agency has in effect protective measures to safeguard the personal information being transferred and received from the Federal Parent locator Service; and (3) the State IV-D agency will use or disclose this information for the purposes prescribed in 45 CFR 302.18. All personnel, Federal employees and contractor, are required to take a non-disclosure oath. All input documents will be inventoried and accounted for. All inputs and outputs will be stored in a locked receptacle in a locked room. All outputs will be labeled "For Official Use Only" and treated accordingly. Operations control will be vested under a single system manager. Every State using the system will be verified via three levels of user ID's. All data files will be protected by unique passwords and security codes. Remote users have "read only" system access capabilities. They cannot read any master file or perform any other function on the system. The system complies with the security measures in IPS PUB 3 and has been reviewed by the HEW ADP Systems Security Task Force.

Retention and disposal: Records of address information provided in response to requests from IV/D agencies are maintained only long enough to communicate them to the State. After this time they are destroyed. A record of the request only which includes information provided by the State, Federal agencies contacted, and an indication of the type of information so returned is stored on a history tape and hardcopy. All history data will be retained for five years.

System manager(s) and address:

Director, Parent Locator Service Division
Office of Child Support Enforcement
Department of Health, Education, and Welfare
6110 Executive Blvd.
Rockville, Md. 20852

Notification procedure: Contact the system manager in writing at the above address and provide your name and address. Additional information, such as your Social Security Number, date of birth or mother's maiden name, may be requested by the system manager in order to distinguish between individuals having the same or similar names.

Record access procedures: Same as above.

Contesting record procedures: Individuals that feel the information provided through the above procedures is inaccurate should inform the Federal Parent Locator Service at the address listed for Notification Procedures. The Federal Parent locator Service will acknowledge this request within ten (10) work days and indicate one of the following: a) the error has been corrected; b) the State child support agency that submitted the original information; c) other steps the individual must follow to correct the inaccuracy.

Record source categories: Information is obtained from departments, agencies, or instrumentalities of the United States or of any State.

Systems exempted from certain provisions of the act: None.

09-90-0075

System name: MBTA Prepaid Pass Program Participants. HEW-RO1-ARD.

Security classification: None.

System location:

HEW, Office of Director for Administrative Support Center
Room 2411, JFK Federal Building
Boston, Massachusetts 02203

Categories of individuals covered by the system: Any HEW employee who is participating in the MBTA Pass Program.

Categories of records in the system: Name, Department, SSN, Credit Union Account Number, Type of Plan, Sex, signature of Employee, and Pass Number.

Authority for maintenance of the system: Executive Order 011491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Used as basis of requesting MBTA Pass and as a control of Pass numbers in case of replacement by Massachusetts Bay Transportation Authority, Forrest Hills Station, Boston, Massachusetts. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3 x 5 cards in file box.

Retrievability: By name.

Safeguards: Office doors locked during non-working hours.

Retention and disposal: —Kept as long as employee is a participant in the Program. Cancellation cards are kept for six months after month cancelled; then destroyed.

System manager(s) and address:

Secretary to Director for Administrative Support Center
HEW, Room 2411, JFK Federal Building
Boston, Massachusetts 02203

Notification procedure: Address: Same as above. Identifying information: Name, Social Security Number (on a purely voluntary basis).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Supplied by employee.

Systems exempted from certain provisions of the act: None.

09-90-0061

System name: Claims for Damage, Injury, or Death. HEW/RO3/ASD

Security classification: None.

System location:

Department of Health, Education, and Welfare

Region III
Room 3300
3535 Market Street
Philadelphia, Pennsylvania 19104

Categories of individuals covered by the system: Federal employees and non-Federally employed individuals submitting claims for financial remuneration due to damage, injury or death which are Government related.

Categories of records in the system: 1. Personal information about claimant: name, address, age, marital status, name and address of spouse, insurance coverage. 2. Data relative to incident generating claim: date, time and place of occurrence. Type of incident (property damage, personal injury). Name of witnesses and other information relating to the case.

Authority for maintenance of the system: E.O. 11807, 11654, P.L. 91-596, Section 19(a), Section 7902, Title 5 U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To claimant's insurance representative and/or legal counsel. In accordance with Appendix B, Departmental Regulations (45 CFR Part 5b) Item 1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by the name of the individual claimant. Records may be accessed by Regional Claims Officer and Office of General Counsel.

Safeguards: Maintained in a locked metal cabinet.

Retention and disposal: Records are destroyed after a five (5) year retention period.

System manager(s) and address:

Regional Engineer
HEW/Region III
Room 5400, Gateway Bldg.
3535 Market Street
Philadelphia, Pa. 19104

Notification procedure: For inquiries: system manager and address as above. Identification needed. For retrieval: name, relationship to claim/claimant.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Claimant, investigative reports and statement of witnesses.

Systems exempted from certain provisions of the act: None.

[FR Doc. 79-28861 Filed 10-5-79; 8:45 am]
Billing Code 4110-12-M

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Office of the Secretary

Office of the Assistant Secretary for Personnel Administration

Privacy Act of 1974

Systems of Records, Annual Publication

AGENCY: Department of Health, Education and Welfare (HEW), Office of the Secretary, Office of the Assistant Secretary for Personnel Administration.

ACTION: Annual publication of personnel record system notices.

SUMMARY: 5 USC 552a(e)(4) requires that agencies annually publish notices in the Federal Register to indicate the existence and character of any systems of records which they maintain. The following notices are published to meet this requirement with respect to certain systems of records which HEW maintains on its past, present and prospective employees.

SUPPLEMENTARY INFORMATION: The following personnel record system notices do not contain any material which would require a new or altered system report or any new routine uses. To the extent that new or altered system reports or new routine use notices were required for these systems, HEW published them during the course of the year. However, these notices do include minor modifications for the purpose of completeness, clarity, timeliness and correctness. Specifically, references to the Civil Service Commission have been replaced with references to its successor organizations, and changes were made to reflect current organizational designations within HEW.

Dated: September 18, 1979.

Thomas S. McFee
Assistant Secretary for Personnel Administration.

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- 09-90-0059—Federal Advisory Committee Membership Files, HEW OS-ASPER-DCMO.
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09-90-0002

System name: Investigatory Material Compiled for Security and Suitability Purposes System, HEW/OS/ASPER.

Security classification: None for the system; however, a portion of the records within the system are classified at the level of Confidential, Secret, and Top Secret.

System location:

Division of Personnel Investigations
Room 523B, Humphrey Building
U.S. Department of Health, Education, and Welfare
200 Independence Avenue, S.W.
Washington, D.C. 20201
Regional Federal Record Center

Categories of individuals covered by the system: Applicants, former employees and others doing business with the Department.

Categories of records in the system: Security investigations case index card file.

Authority for maintenance of the system: Executive Orders 10450 and 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be used as follows:

a. See Appendix B Departmental Regulations (45 CFR Part 5b) Items 1, 4, 5.

b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

c. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in security type vaults or safes or lock bar file cabinets with manipulation proof combination locks.

Retrievability: The records are alphabetically indexed by name and date of birth of the individual subject of the file or by cross reference to another file. Access within HEW is limited to the Secretary, and on a need-to-know basis other officials having the program management responsibility.

Safeguards: Direct access is restricted to authorized Division of Personnel Investigation staff. Access to the safes in which the records are stored is limited to those Division of Personnel Investigation employees with appropriate security clearances and the lock combination.

Retention and disposal: Security investigative records on individuals who occupy sensitive positions are maintained during the term of their employment. Other security investigative records are maintained for ten years if subject to EO 10450. All other files are destroyed after three years.

System manager(s) and address:

Director, Division of Personnel Investigation
Room 523B, Humphrey Bldg.
U.S. Department of Health, Education, and Welfare
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: System Manager for general inquiries, include name, date of birth, and employment or other affiliation with the Department.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify

fy the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Federal, state or local agencies maintaining civil, criminal, suitability, or other relevant enforcement information or other pertinent information, correspondence and material or data obtained during the course of the conduct of the investigations.

Systems exempted from certain provisions of the act: Individuals will be provided information from this record system except when in accordance with the provisions of 5 USC 552a(k)(5); 1. disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or 2. if the information was obtained prior to September 27, 1975, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence (45 CFR 5b.11).

09-90-0006

System name: Applicants for Employment Records. HEW/OS/ASPER.

Security classification: None.

System location: This system is located in personnel offices and other offices of the Department authorized to receive applications for employment. See Appendix 1.

Categories of individuals covered by the system: Persons who have applied for Federal employment or are employed in the Federal service.

Categories of records in the system: These records contain information relating to the education and training; employment history and earnings; appraisal of past performance; convictions and offenses against the law; results of written tests; appraisal of potential; honors, awards or fellowships; military service; veteran preference, birthplace; birth date; social security number; and home address of persons who have applied for Federal employment or are employed in the Federal service and correspondence related thereto. These records may also include information concerning the date of application, qualification status, employment consideration, priority grouping, and other information relating to the consideration of the individual for employment.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be used: 1) to respond to requests for information from the Office of Personnel Management, Members of Congress, or other inquiries from outside the Department, to the extent their request is compatible with the purpose for which the records are maintained; 2) See Appendix B Departmental Regulations (45 CFR Part 5b), Items 01,3,4,5,6,7,8,9; 3) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, discs, drums, punched cards, microfiche, cards lists, and forms.

Retrievability: Records are indexed by any combination of name, birth date, social security number and identification number. Records are used to refer applicants to officials of the Department for placement in positions for which applicant has applied and a qualified.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained until the applicant is selected for a position, or for two years. After the applicant is selected for a position, the records are filed in the Official Personnel Folder which is retained until the employee leaves the Department.

If the applicant is not selected for a position within two years, the records are destroyed. (See HEW Personnel Instruction 293-1, Exhibit X293-1-1, item 15.)

System manager(s) and address: Personnel Officers of the Department. See Appendix 1.

Notification procedure: Personnel office to which application is made (see Appendix 1). Individual should provide name, date of birth, social security number, approximate date of record and title of position for which application was made.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is provided by the individual to whom it applies, is derived from information he or she supplied; or is obtained from information supplied by others.

Systems exempted from certain provisions of the act: None. Appendix 1

Personnel Offices in Department of Health, Education, and Welfare

Department Staff Personnel Office:

Deputy Assistant Secretary for Personnel
Office of Personnel

Assistant Secretary for Personnel Administration
Office of the Secretary
Department of Health, Education, and Welfare
200 Independence Avenue, S.W.
Washington, D.C. 20201

Headquarters Personnel Offices:

Personnel Officer
Division of OS Personnel
Office of the Secretary
Department of Health, Education, and Welfare
Room 4361—4th Floor
330 Independence Avenue, SW.
Washington, D.C. 20201

Personnel Officer
Personnel and Training Division
Office of Education
Department of Health, Education, and Welfare
Room 1087—FOB06
400 Maryland Avenue, SW.
Washington, D.C. 20202

Personnel Officer
Personnel Division
National Institute of Education
Department of Health, Education, and Welfare
Room 642, Brown Bldg.
1200 19th Street, NW.
Washington, D.C. 20208

Personnel Officer
Division of Personnel
Health Care Financing Administration
Department of Health, Education, and Welfare
Room 4400, Annex Building
6401 Security Blvd.
Baltimore, Maryland 21207

Personnel Officer
Office of Human Development
Department of Health, Education, and Welfare
Room 347D, South Portal Building
200 Independence Ave., SW.
Washington, D.C. 20201

Personnel Director
Office of Personnel Management
Public Health Service
Department of Health, Education, and Welfare
Room 18A-55—Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Director
Division of Personnel Management
Alcohol, Drug Abuse, and Mental Health Administration
Department of Health, Education, and Welfare
Room 1295—Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Officer
Saint Elizabeths Hospital, ADAMHA
Department of Health, Education, and Welfare
Room 120—E Building
2700 Martin Luther King Avenue, SE.
Washington, D.C. 20032

Personnel Director
Division of Personnel Management
National Institutes of Health
Department of Health, Education, and Welfare
Room 21—Building 1
9000 Rockville Pike
Bethesda, Maryland 20014

Personnel Officer
Personnel Office
National Library of Medicine
Department of Health, Education, and Welfare
8600 Rockville Pike, Room M-105
Bethesda, Maryland 20014

Chief
Personnel Management Branch
National Cancer Institute
Department of Health, Education, and Welfare
Room 3A32—Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Chief
Personnel Management Branch
National Heart and Lung Institute
Department of Health, Education, and Welfare
Room 5A32—Building 31
9000 Rockville Pike
Bethesda, Maryland 20014

Director
Division of Personnel Management
Health Resources Administration
Department of Health, Education, and Welfare
Room 9-22, FCB 02
3700 East-West Highway
Hyattsville, Maryland 20782

Director
Office of Personnel
Health Services Administration
Department of Health, Education, and Welfare
Room 14A-20—Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Director
Food and Drug Administration
Department of Health, Education, and Welfare
Room 4B-06—Parklawn Building HFA-400
5600 Fishers Lane
Rockville, Maryland 20852

Personnel Officer
Bureau of Health Manpower
Department of Health, Education, and Welfare
Room 5B-44—Building 31
9000 Rockville Pike

Bethesda, Maryland 20015

Personnel Officer
Office of the Assistant Secretary for Health
Department of Health, Education, and Welfare
Room 4-36, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20852

Regional Personnel Offices:

Regional Personnel Officer
Region I
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center—Room 1503
Boston, Massachusetts 02203

Regional Personnel Officer
Region II
Department of Health, Education, and Welfare
Federal Building
26 Federal Plaza
New York, New York 10007

Regional Personnel Officer
Region III
Department of Health, Education, and Welfare
3535 Market Street, Room 9460
Philadelphia, Pennsylvania 19101

Regional Personnel Officer
Region IV
Department of Health, Education, and Welfare
Suite 1601
101 Marietta Tower
Atlanta, Georgia 30323

Regional Personnel Officer
Region V
Department of Health, Education, and Welfare
31st Floor
300 S. Wacker Drive
Chicago, Illinois 60606

Regional Personnel Officer
Region VI
Department of Health, Education, and Welfare
10th Floor
1200 Main Tower Bldg.
Dallas, Texas 75202

Regional Personnel Officer
Region VII
Department of Health, Education, and Welfare
Room 468
601 E. 12th Street
Kansas City, Missouri 64106

Regional Personnel Officer
Region VIII
Department of Health, Education, and Welfare
Room 10410
Federal Office Building
1961 Stout Street
Denver, Colorado 80294

Regional Personnel Officer
Region IX
Department of Health, Education, and Welfare
50 Fulton Street
San Francisco, California 94102

Regional Personnel Officer
Region X
Department of Health, Education, and Welfare
Room 6039 Arcade Plaza Building
1321 Second Avenue, Mail Stop 627
Seattle, Washington 98101

Chief, Personnel Officer
Cleveland Branch Office

Region V
Department of Health, Education, and Welfare
14600 Detroit Avenue, Room 500
Cleveland, Ohio 44107

Other Servicing Personnel Offices:
Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
Carville, Louisiana 70721

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
4400 Ursuline
Galveston, Texas 77550

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
1131 14th Avenue South
Seattle, Washington 98114

Personnel Officer
U.S. Public Health Service Hospital
Office of Personnel
Department of Health, Education, and Welfare
Bay and Vanderbilt Streets
Staten Island, New York 10304

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
15th Avenue and Lake Street
San Francisco, California 94118

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
77 Warren Street
Boston, Massachusetts 02135

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
210 State Street
New Orleans, Louisiana 70118

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
6500 Hampton Boulevard
Larchmont
Norfolk, Virginia 23508

Personnel Officer
U.S. Public Health Service Hospital
Personnel Management Branch
Department of Health, Education, and Welfare
3100 Wyman Park Drive
Baltimore, Maryland 21211

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
P.O. Box 2143
Billings, Montana 59101

Personnel Officer
U.S. Public Health Service Hospital
Personnel Section
Department of Health, Education, and Welfare
4005 Federal Office Building
500 Gold Avenue, S.W.

Albuquerque, New Mexico 87101

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
405 Citizens Building
115 4th Avenue, SE.
Aberdeen, South Dakota 57401

Personnel Officer
Indian Health Service
Personnel Management Branch
Department of Health, Education, and Welfare
801 East Indian School Road
Phoenix, Arizona 85014

Personnel Officer
Indian Health Service
Personnel Branch
Department of Health, Education, and Welfare
388 Old Post Office and Courthouse
Oklahoma City, Oklahoma 73102

Personnel Officer
Alaska Area Office
Indian Health Service
Department of Health, Education, and Welfare
P.O. Box 7-741
Anchorage, Alaska 99501

Personnel Officer
Indian Health Area Office
Office of Personnel
Department of Health, Education, and Welfare
Room 200
921 SW. Washington Street
Portland, Oregon 97205

Personnel Officer
Indian Health Service
Office of Personnel
Department of Health, Education, and Welfare
P.O. Box G
Window Rock, Arizona 86515

Director
Office of Human Resources, OMA
Social Security Administration
Department of Health, Education, and Welfare
Room 734, Altmeyer Bldg.
6401 Security Boulevard
Baltimore, Maryland 21235

Personnel Officer
Bureau of Hearings and Appeals
Social Security Administration
Department of Health, Education, and Welfare
3833 N. Fairfax Drive
Arlington, Virginia 22203

Chief, Personnel Branch
Mid-Atlantic Program Service Center
Social Security Administration
Department of Health, Education, and Welfare
P.O. Box 12837
Philadelphia, Pennsylvania 19108

Chief, Personnel Branch
Northeastern Program Service Center
Social Security Administration
Department of Health, Education, and Welfare
9605 Horace Harding Expressway
Flushing, New York 11368

Chief, Personnel Branch
Southeastern Program Service Center
Social Security Administration
Department of Health, Education, and Welfare
2001 12th Avenue, North
Birmingham, Alabama 35285

Chief, Personnel Branch
Western Program Service Center
Social Security Administration
Department of Health, Education, and Welfare
P.O. Box 2000
Richmond, California 94802

Chief, Personnel Branch
Great Lakes Program Service Center
Social Security Administration
Department of Health, Education, and Welfare
165 North Canal Street
Chicago, Illinois 60606

Chief, Personnel Branch
Mid-America Program Service Center
Social Security Administration
Department of Health, Education, and Welfare
P.O. Box 15186
Kansas City, Missouri 64106

Personnel Officer
Albuquerque Data Operations Center
Social Security Administration
Department of Health, Education, and Welfare
P.O. Box 4429, Station 'A'
Albuquerque, New Mexico 87106

Personnel Officer
Salinas Data Operations Center
Social Security Administration
Department of Health, Education, and Welfare
100 East Alvin Drive
Salinas, California 93906

Personnel Director
Personnel Management Office
Center for Disease Control
Department of Health, Education, and Welfare
Building 1, Room 153A
1600 Clifton Road, NE
Atlanta, Georgia 30333

Personnel Officer
Addiction Research Center
National Institute of Drug Abuse, ADAMHA
Department of Health, Education, and Welfare
P.O. Box 12390
Lexington, Kentucky 40511

Personnel Officer
National Institute for Occupational Safety and Health
Department of Health, Education, and Welfare
Room 540
U.S. Post Office and Courthouse
5th and Walnut Street
Cincinnati, Ohio 45202

Personnel Officer
National Institute of Environmental Sciences
Department of Health, Education, and Welfare
P.O. Box 12233
Research Triangle Park, North Carolina 27709

09-90-0007

System name: Complaints and Inquiries Records—Miscellaneous.
HEW/OS/ASPER.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records. HEW System 09900006, Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices, in which employees are employed.

Categories of individuals covered by the system: Current and former employees of the Department.

Categories of records in the system: This system consists of records relating to an individual's employment status or conduct while employed by the Department. Examples of these records include: correspondence from employees, Members of Congress, and members of the public alleging misconduct by an employee of the Department, miscellaneous complaints not covered by the Department's formal or

informal grievance procedure, informal complaints handled by labor union officials, and miscellaneous debt correspondence received from creditors.

Authority for maintenance of the system: Executive Orders 11222, 10561 and 11491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used: (a) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9; (b) by the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions; (c) to respond to Members of Congress and members of the public with regard to complaints or inquiries presented by them; (d) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual; (e) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed in folders and index cards.

Retrievability: Records are filed by name. Records are used to take action on and respond to a complaint about a HEW employee; to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies; and for other purposes compatible with the intent for which the records system was created.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Records are retained until there is no further administrative need for them, the individual leaves the Department, or one year has elapsed, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit X293-1-2, item 7.)

System manager(s) and address: Personnel Officers shown in Appendix 1 to Applicants for Employment Records. HEW System 09900006, who service organizational units in which individuals are employed.

Notification procedure: Operating officials in organizational unit in which employee is employed or personnel officers shown as systems managers in Appendix 1 Applicants for Employment Records, HEW System 09900006. Individuals should provide name, organization in which employed, and date of birth.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is obtained: (1) directly from the individual, or (2) derived from information supplied by the individual, or (3) from information supplied by members of the public, other employees, Members of Congress, Department management officials, or (4) from police and court records relevant to the complaint about the employee.

09-90-0008

System name: Conflict of Interest Records System. HEW/OS/ASPER.

Security classification: None.

System location: Personnel Offices of the Department (See Applicants for Employment Records, HEW System 09900006, Appendix

1) or levels of approving officials to be identified by those Personnel Offices.

Categories of individuals covered by the system: Incumbents of Department positions the duties of which are of such a nature that incumbent's outside activities may come in conflict with the incumbent's official duties.

Categories of records in the system: The Conflict of Interest Records System consists of a variety of records relating to an employee's conduct and outside activities. In addition to the name of the employee, position title, grade, salary, pay plan, and employing organization, the system includes information about outside employment, outside compensation and related information.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used: (a) by the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions; (b) In accordance with Appendix B of the Departmental regulations (45 CFR Part 5b). Item 1,4,5,6,9; (c) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(d) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Conflict of Interest Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used for the purpose of determining whether an employee's financial interest, conduct or outside activities are in conflict with the employee's duties as a Federal official. They also may be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for other purposes compatible with the intent for which the records system was created.

Safeguards: These records are treated as controlled for Official Use Only and made available only to persons specifically authorized to receive them.

Retention and disposal: Records are retained until 2 years after the individual discontinues the activity for which approval was required, or until the individual leaves the Department, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit Z293-1-1, item 25.)

System manager(s) and address: Personnel Offices of the Department shown in Appendix 1 to Applicants for Employment Records, HEW System 09900006.

Notification procedure: For incumbents who are in position under the Executive Schedule; Office of the Secretary Staff Office Heads; or Principal Regional Officials contact:

Deputy Assistant Secretary for Personnel
Office of Personnel
Department of Health, Education, and Welfare
200 Independence Avenue, S.W.
Washington D.C. 20201

For incumbents of positions in the Food and Drug Administration, contact:

Director, Policy Management Staff, HFA-20
Food and Drug Administration
5600 Fisher Lane
Rockville, Maryland 20857

For incumbents of other positions included in this records system, contact the Personnel Office shown in Appendix 1 to Applicants for Employment Records, HEW System 09900006, which services the organizational units in which the individual is employed. The individual should indicate name, position title, grade and series, and organization in which located.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is: (1) supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by Department officials or other persons such as trustee, attorney, accountant, relative.

09-90-0009

System name: Discrimination Complaints Records System. HEW/OS/ASPER

Security classification: None.

System location:

Office of the Deputy Assistant Secretary for EEO
200 Independence Avenue, S.W.
Washington, D.C. 20201

Offices of designated EEO Officers in Principal Operating Components, Office of the Secretary, Health Agencies, Education Agencies and Regional Offices. See Appendix 1 for exact locations.

Categories of individuals covered by the system: Individuals or organizations which have consulted and EEO Counselor regarding discrimination on the basis of race, color, religion, sex, national origin or age because of a determination or decision made by a Department official or which have filed a third-party allegation of discrimination.

Categories of records in the system: This system of records contains information or documents concerning pre-complaint processing and third-party allegations of discrimination. The records consist of counselors' reports, the initial allegations, letters or notices to the individual or organization, materials placed into the record to support or refute the decision or determination, statements to witnesses, investigative reports, instructions about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

Authority for maintenance of the system: Executive Order 11478, 42 USC 2000e and 29 USC 633a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

- To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance;
- To refer to Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions;
- In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01, 3, 4, 5, 6, 7, 8, 9.
- Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the names of the individuals or organizations on whom they are maintained. They may be used: to adjudicate an appeal, complaint, or grievance; to provide a basis for a corrective action related to the discrimination situation; as a data source for management information for production of summary descriptive statistics and analytical studies in support of the

function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: The records on third-party allegations of discrimination are retained for four years after final disposition, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit X293-1-1, item 26a(1).)

System manager(s) and address: See Appendix 1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure: Individuals and organizations which consulted an EEO counselor or filed a third-party allegation of discrimination are aware of that fact. They may write the appropriate immediate system manager indicated above, or the general coordinator if the immediate system manager is unknown, regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide their name, date of birth, agency in which employed or agency in which the situation arose if different from employing agency, the approximate date, and the kind of action taken, when making inquiries about records.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

- a. Individual to whom the record pertains
- b. Department or other officials
- c. Statements from employees or other witnesses
- d. Official documents relating to the counseling or third-party allegation
- e. Correspondence from specific organizations or persons. Appendix I

List of Locations and System Managers for EEO Matters

General Coordinator:

Deputy Assistant Secretary for EEO.
Room 509F
200 Independence Avenue, SW
Washington, D.C. 20201

Immediate Locations and System Managers

Office of the Secretary, Washington
EEO Officer, OS
Room 2038
330 C Street, SW.
Washington, D.C. 20201

Regional Offices of the Secretary

REGION I

EEO Officer
Room 1500
JFK Federal Building
Boston, Massachusetts 02203

REGION II

EEO Officer
Room 3838-D
26 Federal Plaza
New York, New York 10007

REGION III

EEO Officer
Room 9200
3535 Market Street
Philadelphia, Pennsylvania 19101

REGION IV

EEO Officer
19th Floor
101 Marietta Tower
Atlanta, Georgia 30323

REGION V

EEO Officer
35th Floor
300 S. Wacker Drive
Chicago, Illinois 60606

REGION VI

EEO Officer
Room 904
1114 Commerce Street
Dallas, Texas 75202

REGION VII

EEO Officer
Room 616D
601 East 12th Street
Kansas City, Missouri 64106

REGION VIII

EEO Officer
Room 13001, Federal Office Building
1961 Stout Street
Denver, Colorado 80294

REGION IX

EEO Officer
Room 413
50 Fulton Street
San Francisco, California 94102

REGION X

EEO Officer
Room 6132, Arcade Plaza Building
1321 Second Avenue, Mail Stop 629
Seattle, Washington, 98101

Principal Operating Components and Agencies

Social Security Administration

EEO Officer
Room 739, Administration Building
6401 Security Boulevard
Baltimore, Maryland 21235

Health Care Financing Administration

EEO Officer
Room 793, East High Rise
6401 Security Blvd.
Baltimore, Maryland 21235

Office of Education
EEO Officer
Room 2117
400 Maryland Avenue, S.W.
Washington, D.C. 20202

National Institute of Education

EEO Officer
Room 639
1200 19th Street, NW.
Washington, D.C. 20208

Assistant Secretary for Health

EEO Officer
Room 18-07, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Health Resources Administration

EEO Officer
Room 10-22, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Health Services Administration

EEO Officer
Room 14-18, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Food and Drug Administration

EEO Officer
Room 16-B-07, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Alcohol, Drug Abuse & Mental Health Administration

EEO Officer
Room 17-C-20, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20208

National Institutes of Health

EEO Officer
Room 2-B-40, Building 31
National Institutes of Health
Bethesda, Maryland 20014

Center for Disease Control

EEO Officer
Room 2405, Building 1
1600 Clifton Road, NE
Atlanta, Georgia 30333

Office of Human Development
EEO Officer
Room 330E, South Portal Building
200 Independence Ave., SW
Washington, D.C. 20201

09-90-0010

System name: Employee Alcoholism, Drug Abuse and Emotional Problem Counseling and Referral Records. HEW-OS-ASPER.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1 or designated offices performing counseling functions for employees in organizational units serviced by these personnel offices, including the Public Health Employee Assistance Program offices listed in Appendix 1 of this notice.

Categories of individuals covered by the system: Department employees who have been counseled for work adjustment, personal or emotional health problems and/or the abuse of alcohol or drugs.

Categories of records in the system: This system contains records of employees who have been referred but not counseled; records of employees who have been counseled for work adjustment, personal or emotional problems, and/or alcohol or drug abuse; and records of members of employees' families who have been counseled. Examples of information which may be found in this record system include the employee's name, SSN, date of birth, grade, job series, job title, leave record, service computation date, home address, home phone number, supervisor's name, name and address of the individual's personal physician, social history, educational background, and performance appraisals. Other documents which may also be found in the counselor's file are notes made by the counselor, copies of admonishments and reprimands received by the employee and a record of the supervisor's referral (if the employee was referred by the supervisor).

Authority for maintenance of the system: 44 U.S.C. 3101, 42 U.S.C. 4561, 21 U.S.C. 1180, and 5 U.S.C. 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In unusual circumstances, it may be appropriate to disclose information from this system of

records: (1) In accordance with Appendix B Departmental Regulations (45 CFR Part 5b), Items 9, 101, 102; (2) To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of components of the Department in connection with such individual; (3) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Such disclosures will be restrictively made; in particular, disclosures of information pertaining to an individual with a history of alcohol or drug abuse will be limited in compliance with the restrictions if the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR Part 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Employee records are maintained in file folders and on index cards.

Retrievability: Records are filed by name or by case number cross indexed with the employee's name. The records are used to document the nature of the individual's problem and progress and when necessary to refer individuals to appropriate community or private resources for treatment or rehabilitation. Anonymous information from these records may also be used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained.

Safeguards: During the employment of the individual, records are maintained in confidential files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access. Disclosure of the contents of records which pertain to an individual's alcohol or drug abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR, Part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended by P.L. 93-282. To the extent possible, identical restrictions will be applied to the disclosure of the contents of records pertaining to individuals with other problems who are participating in the Public Health Employee Assistance Program.

Retention and disposal: Records are retained until three years after the individual has ceased contact with the counselor, or until the individual leaves the Department, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit X293-1-1, item 27a.)

System manager(s) and address: For records of individuals participating in the Public Health Employee Assistance Program conducted by the Public Health Service: The responsible administrator shown in Appendix 1 below. For other individuals' records: The Personnel Officer servicing the installation in which counseling was provided, as shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Notification procedure: Inquiries should be addressed to the system manager at the office where counseling was provided. Individual should provide name, grade, organization in which employed, date of birth, and location and approximate date of counseling. When applicable, the special procedures for access to medical records will be followed. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6) Federal Register, October 8, 1975, page 47411.). When the records pertain to an individual's alcohol or drug use, the procedures in 42 CFR 2.40 will also be followed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These

procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) supplied by a member of the individual's family, or 3) derived from information supplied by the individual, or 4) supplied by sources to whom the employee has been referred for assistance, or 5) supplied by Department officials, or 6) supplied by program counselors.

Systems exempted from certain provisions of the act: None.

Appendix 1 Officials of Public Health Employee Assistance Program (Public Health Service)

Administrator
ADAMHA Employee Assistance Program
Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Administrator
Public Health Employee Assistance Program
Personnel Management Office
Center for Disease Control
Atlanta, Georgia 30333

Administrator
Public Health Employee Assistance Program
Food and Drug Administration
Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Administrator
Health Resources Administration Employee Assistance Program
Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Administrator
Health Services Administration Employee Assistance Program
Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20852

Administrator
Public Health Employee Assistance Program
Office of Occupational Health
National Institutes of Health
Bethesda, Maryland 20010

Administrator
Public Health Employee Assistance Program
Office of the Assistant Secretary for Health
330 Independence Avenue, SW.
Washington, D.C. 20201.

09-90-0011

System name: Employee Appraisal Program Records. HEW/OS/ASPER.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1 and operating offices in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system contains information which includes employee's name, SSN, employing organization, grade, title, series, and materials relating to the evaluations of employee's performance.

Authority for maintenance of the system: 5 U.S.C. 4302, 5 U.S.C. 3301, 5 U.S.C. 3302, Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

1. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions;

2. In accordance with Items 1, 3, 4, 5, 6, 7, 8, 9 of Appendix B of the Departmental Regulations (45 CFR, Part 5b).

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, on magnetic tape, and on punch cards.

Retrievability: Records are retrievable by name or social security number. They may be used as a basis for reduction-in-force, adverse actions, decisions regarding retention of employees during probationary period, recognition, promotions, reassignments and other personnel actions compatible with the purpose for which the record was collected.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Appraisals and satisfactory rating are retained until a new appraisal or rating is issued, 2 years have elapsed, or the individual leaves the Department, and are then destroyed. Unsatisfactory and outstanding ratings are filed in the Official Personnel Folder which is retained until the individual leaves the Department. (See HEW Personnel Instruction 293-1. Exhibit X293-1-2, Item 10.)

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Notification procedure: Same as above. Employee should provide name, social security number and organization in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record are specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is provided by the individual, derived from information supplied by the individual or supplied by Department officials.

09-90-0012

System name: Executive Development Records System. HEW/OS/ASPER.

Security classification: None

System location: Personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Categories of individuals covered by the system: All supergrade employees (GS-16-18) and equivalents, incumbents of managerial positions and employees in grade GS-13-15 designated as high potential employees.

Categories of records in the system: The Executive Development Records System consists of a variety of records relating to an employee's application for, and participation in, the executive development program. In addition to the employee's name, the system contains the employee's title, grade and salary, Social Security Account Number, organization in which employed, date of entry into the Executive Development Program, training needs while participating in the program, individual's development plan, basis for participation in the Executive Development Program

Authority for maintenance of the system: 5 U.S.C. 4101 et. seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01, 3, 4, 5, 6, 7, 8, 9.

b. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, magnetic tape, punch cards, and forms.

Retrievability: Records are indexed by name and Social Security Account Number. Records are used by operating officials in carrying out their personnel management responsibilities. They may be used by those officials in connection with promotions, transfer or reassignment of the individual and as base for preparing management, budgetary or statistical reports to support organizational planning or manpower utilization studies.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records of an unsuccessful applicant are retained for 60 days after notification that he or she was not selected for participation, and are then destroyed. Records of a participant are retained for 5 years after the individual has ceased to participate in the program, and are then destroyed.

System manager(s) and address: Heads of personnel offices which service the organizational unit in which the individual is employed. See Applicants for Employment Records, HEW System 09900006, Appendix 1.

Notification procedure: Same as Above. Individuals should include their name, grade, title, and organization when contacting the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

09-90-0013

System name: Federal Employees Occupational Health Program Records. HEW/OS/ASPER.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1 and designated offices performing occupational health services for employees in organizations serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department.

Categories of records in the system: This system consists of a variety of records relating to an employee's participation in the Federal Occupational Health Program at units other than those operated by the Division of Federal Employee Health, Public Health Service. Examples of information which may be included in this system are the employee's name, SSN, date of birth, weight, height, medical history, blood type, nature of injury or complaint, type of treatment/medication received, examination findings, and laboratory results.

Authority for maintenance of the system: 5 U.S.C. 7901 et. seq., P.L. 79-658.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

1. By authorized medical personnel in connection with the performance of their official duties.

2. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

3. By the Department of Labor in connection with a claim filed by an employee for compensation for a job-related injury or disease.

4. By private contractors engaged in providing medical services under Federal contract.

5. In accordance with Items 1, 3, 4, 5, 6, 7, 8, 9 of the Departmental Regulations (45 CFR Part 5b), Appendix B.

6. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

7. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, punch cards and data tape.

Retrievability: Records are retrievable by name, date of birth, and SSN. They are used to document an employee's visit to a health unit and contain information such as a summary of the nature of a complaint, a record of the employee's participation in a voluntary screening program, a record of an employee's participation in a voluntary blood donor program, and a record of any treatment administered by the health unit. Information from this system may be used by Department officials in connection with fitness for duty examinations and for preparing statistical or summary reports about the employee participation in the Federal Occupational Health Program.

Safeguards: During the employment of the individual, medical records are maintained in files separate from the Official Personnel Folder and are located in lockable metal containers or in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Records are retained until the individual leaves the Department. If they have no long-term value they are destroyed at this time. If they have continuing value they may be combined with the Official Personnel Folder which is forwarded to the Federal Personnel Records Center or to the new employing agency, as appropriate.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System 09900006, Appendix 1, who service organizational units in which the individual is employed.

Notification procedure: Same as above. The individual should include name, SSN, title and organization. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6) Federal Register, October 8, 1975, page 47411.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations

(45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by the medical officer or nurse providing treatment or medication, or 4) supplied by the individual's private physician.

09-90-0014

System name: Grievances Filed Under the Informal Grievance Procedures. HEW/OS/ASPER.

Security classification: None.

System location: Personnel offices, or offices of the immediate supervisors and the first officials within the Department excluding the immediate supervisor, with line authority to decide on the matter grieved. Such offices are located within the organizational units serviced by personnel offices shown in Applicants For Employment Records, HEW System 09900006, Appendix 1.

Categories of individuals covered by the system: Department employees individually or as a group who have requested personal relief in a matter of concern or dissatisfaction which is subject to the control of Department management.

Categories of records in the system: Information or documents relating to the grievance and personal relief sought; documented materials used in consideration of the grievance, and correspondence related to disposition of the grievance.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302; Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.

b. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their function.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders, binders and index cards.

Retrievability: Records are indexed by name of individual filing the grievance. Records are used to consider and resolve informal grievances, and to provide background data to further consideration of grievances if later pursued through formal grievance procedures.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained for 3 years after the grievance case is closed, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit X293-1-1, item 31a.)

System manager(s) and address: Heads of personnel offices which service organizational units in which employees who submit informal grievances are located. See Applicants for Employment Records, HEW System 09900006, Appendix 1.

Notification procedure: Individuals who have filed grievances are aware of that fact and have been provided information in writing concerning the disposition of the grievance. They may contact the official who signed the written notice, or the System Manager indicated above. They should provide their name, organization in which employed and date of birth and approximate date of the filing of the informal grievance.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

09-90-0015

System name: Grievance Records Filed Under Procedures Established by Labor-Management Negotiations. HEW/OS/ASPER.

Security classification: None.

System location: Personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1 and offices of operating officials in organizational units serviced by those personnel offices.

Categories of individuals covered by the system: Current Federal employees of the Department covered by a collective bargaining agreement.

Categories of records in the system: This system of records consists of a variety of records relating to an employee's grievance filed under procedures established by labor-management negotiations. Examples of information which may be included in this system of records are the employee's name, SSN, grade, job title, testimony of witnesses, material placed into the record to support the decision, the arbitrator's decision, the arbitrator's report, and a record of an appeal to the Federal Labor Relations Authority.

Authority for maintenance of the system: Title 5, United States Code, Chapter 71.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

1. The Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), and the Equal Employment Opportunity Commission in carrying out their functions.

2. In accordance with Departmental Regulations, (45 CFR Part 5b), Appendix B. See Items 01,3,4,5,6,7,8,9.

3. The Department of Labor.

4. The Federal Labor Relations Authority including the General Counsel of the Authority and the Federal Service Impasses Panel.

5. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used to make a determination on and to document a decision made on a grievance filed by an employee under the negotiated grievance procedures. Information from this system may be used by Department officials, for preparing statistical summary or management reports.

Safeguards: Records maintained by management are stored in secured rooms with access limited to those whose official duties required access.

Retention and disposal: As negotiated by the local parties to the contract.

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System 09900006, Appendix 1

who service the organizational unit in which the individual is employed.

Notification procedure: Same as above. Individuals should include their name, grade, title and organizational unit when contacting the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by testimony of witnesses, or 4) supplied by union officials, or 5) supplied by Department officials.

Systems exempted from certain provisions of the act: None.

09-90-0016

System name: HEW Motor Vehicle Operator Records, HEW/OS/ASPER.

Security classification: None.

System location: Personnel offices of the Department shown in Applicants For Employment Records, HEW System 09900006, Appendix 1. Issuing Officers for Motor Vehicle Operator Identification Cards within the organizations serviced by the above personnel offices.

Categories of individuals covered by the system: All Department employees who are required to operate motor vehicles regularly or incidentally in carrying out their official duties.

Categories of records in the system: The HEW Motor Vehicle Operator Records System consists of a variety of records related to the issuance of a Government Motor Vehicle Operator's permit. In addition to the name of the employee, the system includes information about the employee's birthplace, SSN, employing organization, number of years driven, type of vehicles operated, current driver's license number, state issuing driver's license, date license expires, restrictions of state license, sex, date of birth, color of hair, color of eyes, weight, height, record of arrests, and record of accidents. These records also include expiration dates of Motor Vehicle Operator permit, any limitations imposed on its use and the results of the annual review of each driving record.

Authority for maintenance of the system: 40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

a. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01,3,4,5,6,7,8,9.

b. By the Office of Personnel Management in carrying out its functions.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in Official Personnel Folder in file folders and index cards.

Retrievability: Records are retrievable by name. Information is used as a basis for issuing a SF-46 "U.S. Government Motor Vehicle Operator's Identification Card" and evaluating its use. It may also be used for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained for three years after the individual's government motor vehicle operator's permit expires, or the individual leaves the Department, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit S293-1-1, item 24.)

System manager(s) and address: Personnel Officers of the Department shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Notification procedure: Issuing officers in organizational units in which employed or systems managers shown above. Individual should provide name and organization in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information contained in this system of records is obtained: 1) from information supplied by the individual, or 2) derived from information supplied by the individual, or 3) from information supplied by officials of the Department.

Systems exempted from certain provisions of the act: None.

09-90-0017

System name: Pay, Leave and Attendance Records, HEW/OS/ASPER.

Security classification: None.

System location: Division of Central Payroll and Reports Processing

Department of Health, Education, and Welfare
330 Independence Avenue, SW.
Washington, D.C. 20201

Payroll Liaison Representatives. See Appendix 1. Timekeepers in organizational units serviced by Payroll Liaison Representatives shown in Appendix 1. Personnel offices shown in HEW System 09900006, Applicants for Employment Records, Appendix 1.

Categories of individuals covered by the system: All paid employees of the Department of Health, Education, and Welfare including PHS Commissioned Corps Personnel.

Categories of records in the system: This system consists of a variety of records relating to pay and leave determinations made about each employee of the Department of Health, Education, and Welfare. In addition to the name of the employee, the system includes information such as the employee's date of birth, social security number, home address, grade of rank, employing organization, timekeeper number, salary, Civil Service retirement fund contributions, pay plan, number of hours worked, annual and sick leave accrual rate and usage, annual and sick leave balance, FICA withholdings, Federal, state and city tax withholdings, Federal Employees Government Life Insurance withholdings, Federal Employees Health Benefits withholdings garnishment documents, savings allotments, union and management association dues withholdings allotments, savings bonds allotments, and Combined Federal Campaign allotments; for Commissioned Corps Personnel, information such as the following is included: years of service, payroll number, base pay, incentive pay, hazardous pay, allowances and Servicemen's Group Life Insurance.

Authority for maintenance of the system: 5 U.S.C. 5501 et seq., 5525 et seq., 6301 et seq.; 42 U.S.C. 201 et seq.; and P.L. 90-83

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used of may be used.

a. To prepare W-2 Forms to submit to the Internal Revenue Service and to disclose to state and local government agencies having taxing authority pertinent records relating to employees, including name, home address, social security number (in accordance with Section 7 of Public Law 93-579), earned income, and amount of taxes withheld.

b. In accordance with Appendix B Department Regulations (45 CFR Part 5b) Items 01, 3, 4, 5, 6, 7, 8, 9.

c. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Em-

ployment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

d. By the Department of Labor to make compensation determination in connection with a claim filed by the employee for compensation on account of a job-connected injury or disease.

e. To respond to court orders for garnishment of an employee's pay for alimony or child support.

f. To respond to orders from IRS for garnishment of an employee's pay for Federal income tax purposes.

g. To the Department of Treasury for the purposes of preparing and issuing employee salary and compensation checks and U.S. Savings Bonds.

h. By state offices of unemployment compensation in connection with claims filed by former HEW employees for unemployment compensation.

i. When an individual to whom a record pertains dies, to disclose information in the individual's record to heirs, executors and legal representatives of beneficiaries.

j. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

k. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosures is compatible with the purpose for which the records were collected.

1. By financial organizations designated to receive labor organization dues withheld from employee's pay, in order to account for the amounts of such withheld dues which they receive.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microfilm, punch cards and forms.

Retrievability: Records are maintained by pay period and are retrievable by name, SSN and Timekeeper number within each pay period. They are used to insure that each employee receives the proper pay and allowance; that proper deductions and authorized allotments are made from the employee's salary; that the employee is credited and charged with the proper amount of sick and annual leave. Records are also used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies, and for other purposes compatible with the intent for which the records system was created.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records submitted by the individual, such as allotment authorization forms, home address forms, and tax withholding forms are retained until superseded by new forms or until the individual leaves the Department. Most of these records are then destroyed. Some of these records must be retained for an additional period, or forwarded to the new employing agency. Time and attendance records are retained for five years and are then destroyed. The automated payroll master record, established when the individual is first employed and continually updated throughout the period of his or her employment, is retained until the individual leaves the Department.

System manager(s) and address: Director, Division of Central Payroll and Reports Processing

P.O. Box 1825
Washington, D.C. 20013

Notification procedure: An individual may contact the system manager. An individual also may contact, as appropriate; Payroll Liaison Representatives in Appendix 1 or Personnel Officers shown in HEW System 09900006, Applicants for Employment Records, Appendix 1. Provide name, social security number, timekeeper number and pay period about which inquiring.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is (1) supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by timekeepers and other Department officials.

Systems exempted from certain provisions of the act: None.

Appendix 1

OS—Payroll Liaison Officer,
Office of the Secretary,
Room 4317, HEW North Bldg.,
330 Independence Avenue, S.W.,
Washington, D.C. 20201.

OE—Payroll Liaison Officer,
Office of Education,
Room 3092, E, FOB 06,
400 Maryland Ave., S.W.,
Washington, D.C. 20202.

NIE—Payroll Liaison Officer,
National Institute of Education,
Room 711, Marsh Bldg.,
1832 M Street N.W.,
Washington, D.C. 20208.

HCFA—Payroll Liaison Officer,
Health Care Financing Administration,
BAY C-6, 1710 Gwynn Oak Avenue
Baltimore, Maryland 21235

Social Security Administration Headquarters

Payroll Liaison Officer, SSA
Headquarters,
Room 1M10, Annex Bldg.,
6401 Security Blvd.,
Baltimore, Maryland 21235.

SSA, ORS—Payroll Liaison Officer,
Universal Bldg.,
Room 930, 1875 Connecticut Ave., N.W.,
Washington, D.C. 20009.

Social Security Administration Program Service Centers

Mid Atlantic—Payroll Liaison Officer, SSA,
HEW Program Service Center,
P.O. Box 12807,
Philadelphia, Pennsylvania 19108.

North Eastern—Payroll Liaison Officer, SSA
Program Service Center,
9605 Horace Harding Expressway,
Flushing, New York 11368.

South Eastern—Payroll Liaison Officer,
Birmingham Program Service Center,
P.O. Box 1031,
Birmingham, Alabama 35201.

Great Lakes—Payroll Liaison Officer,
Chicago Program Service Center,
165 North Canal Street,
Chicago, Illinois 60606.

Mid-American—Payroll Liaison Officer, SSA
Program Service Center,
601 East 12th Street—Room 1459,
Kansas City, Missouri 64106.

Western—Payroll Liaison Officer,
San Francisco Program Center,
P.O. Box 2000,
Richmond, California 94802.

Boston, SSA—Payroll Liaison Officer, SSA,
John F. Kennedy Federal Bldg.,
Government Center,
Boston, Massachusetts 02203.

New York, SSA—Payroll Liaison Officer, SSA,
26 Federal Plaza,
Room 737,
New York, New York 10007.

Philadelphia, SSA—Payroll Liaison Officer,
P.O. Box 8788,
Philadelphia, Pennsylvania 19101.

Atlanta, SSA—Payroll Liaison Officer, SSA,
Suite 1601, 101 Marietta Tower,
Atlanta, Georgia 30323.

Cleveland, SSA—Payroll Liaison Officer, SSA,
Room 100, 14725 Detroit Ave.,
Cleveland, Ohio 44107.

Chicago, SSA—Payroll Liaison Officer, SSA,
300 South Wacker Drive
Chicago, Illinois 60606.

Kansas City, SSA—Payroll Liaison Officer, SSA
601 E. 12th Street,
Kansas City, Missouri 64106.

Dallas, SSA—Payroll Officer SSA,
Room 624, 1114 Commerce Street,
Dallas, Texas 75202.

Denver, SSA—Payroll Liaison Officer, SSA,
Federal Office Bldg.,
19th and Stout Streets,
Denver, Colorado 80202.

Seattle, SSA—Payroll Liaison Officer,
HEW Regional Personnel Office, Arcade Plaza Bldg.,
1321 Second Avenue,
Seattle, Washington, 98101.

San Francisco, SSA—Payroll Liaison Officer,
HEW Personnel,
50 Fulton Street,
San Francisco, California 94102.
BHA—Payroll Liaison Officer, Room 335—Webb Bldg.,
801 N. Randolph Street,
Arlington, Virginia 22203.

Regional Offices

Boston—Payroll Liaison Officer, HEW
Personnel,
Room 1503, JFK Federal Bldg.,
Boston, Massachusetts 02203.

New York—Payroll Liaison Officer,
Room 937, 26 Federal Plaza, New York,
New York 10007.

Philadelphia—Payroll Liaison Officer,
Financial Management,
P.O. Box 13716,
Philadelphia, Pennsylvania 19101.

Atlanta—Payroll Liaison Officer,
Room 404,
50 7th Street, N.E.,
Atlanta, Georgia 30323.

Chicago—Payroll Liaison Officer,
HEW Personnel,
300 S. Wacker Drive,
Chicago, Illinois 60606.

Dallas—Payroll Liaison Officer,
Region VI Personnel Office, HEW,
Main Tower Bldg.,
1200 Main Street, Dallas, Texas 75202.

Kansas—Payroll Liaison Officer,
Office of Regional Directory, HEW,
601 East 12th Street,
Kansas City, Missouri 64106.

Denver—Payroll Liaison Officer,

Room 9019,
Federal Office Bldg.,
19th and Stout Street,
Denver, Colorado 80202.

San Francisco—Payroll Liaison Officer,
HEW Personnel,
50 Fulton Street,
San Francisco, California 94102.

Seattle—Payroll Liaison Officer,
Regional Personnel Office,
Arcade Plaza Bldg.,
MS 627 Second Avenue,
Seattle, Washington 98101.

Cleveland—Payroll Liaison Officer,
Room 500,
14600 Detroit Ave.,
Cleveland, Ohio 44107.

Data Operations Center,
SSA—Payroll Liaison Officer,
Data Operations Center,
P.O. Box 2247,
Albuquerque, New Mexico 87103.

U.S. Public Health Service Hospitals

San Francisco, PHS—Payroll Liaison Officer,
USPHS Hospital,
15th and Lake Street,
San Francisco, California 94118.

Seattle, PHS—Payroll Liaison Officer,
USPHS Hospital,
P.O. Box 3145,
Seattle, Washington, 98114.

Staten Island, PHS—Payroll Liaison Officer,
USPHS Hospital,
Bay and Vanderbilt Street,
Staten Island, New York 10304.

Saint Elizabeths, PHS—Payroll Liaison Officer,
St. Elizabeths Hospital,
Room 120, E. Bldg.,
2700 Martin Luther King Ave., S.E.,
Washington, D.C. 20032.

Baltimore, PHS—Payroll Liaison Officer,
USPHS Hospital,
3100 Wyman Park Drive,
Baltimore, Maryland 21211.

Boston, PHS—Payroll Liaison
USPHA Hospital,
77 Warren Street,
Boston, Massachusetts 02135.

Carville, PHS—Payroll Liaison Officer,
USPHS Hospital,
Carville, Louisiana 70721

Galveston, PHS—Payroll Liaison Officer,
USPHS Hospital,
4400 Avenue N.
Galveston, Texas 77550.

New Orleans, PHS—Payroll Liaison Officer,
USPHS Hospital,
210 State Street,
New Orleans, Louisiana 70118.

Norfolk, PHS—Payroll Liaison Officer,
USPHS Hospital,
6500 Hampton Blvd.
Norfolk, Virginia 23508.

Indian Health Service

Aberdeen—Payroll Liaison Officer,

PHS Indian Health Service,
Room 300,
Citizens Bldg., Aberdeen, South Dakota 57401.

Albuquerque—Payroll Liaison Officer,
Albuquerque Indian Health Service,
Federal Office Bldg. and U.S. Courthouse,
Room 4006,
500 Gold Avenue,
Albuquerque, New Mexico 87101.

Anchorage—Payroll Liaison Officer,
Alaska Native Medical Center,
P.O. Box 7-741,
Anchorage, Alaska 99501.

Billings—Payroll Liaison Officer,
Indian Health Area Office,
P.O. Box 2134,
Billings, Montana 59103.

Oklahoma—Payroll Liaison Officer,
Oklahoma City Area,
Indian Health Service,
388 Old Post Office and Courthouse Bldg.,
Oklahoma City, Oklahoma 73102.

Saratoga—Payroll Liaison Officer,
Indian Health Service,
1970 Main Street,
Saratoga, Florida 33577.

Phoenix—Payroll Liaison Officer,
Phoenix Area Indian Health,
801 E. Indian Medical Center,
Phoenix, Arizona 85021.

Phoenix—Payroll Liaison Officer,
Phoenix Indian Medical Center,
4212 North 16th Street,
Phoenix, Arizona 85016.

Tucson—Payroll Liaison Officer,
IHS-HPSC,
P.O. Box 11340,
Tucson, Arizona 85734.

Public Health Service

CDC—Payroll Liaison Officer,
Center for Disease Control,
Personnel Management Office
1600 Clifton Road, N.E.,
Atlanta, Georgia 30330.

NIH—Payroll Liaison Officer,
National Institutes of Health,
Room B1B, Bldg. 11,
9000 Rockville Pike,
Bethesda, Maryland 20014.

FDA—Payroll Liaison Officer,
FDA Payroll Liaison Section,
Accounting Branch, CA-130,
Room 11057, Parklawn Bldg.,
5600 Fishers Lane, Rockville, Maryland 20852.

NIOSH (CDC)—Payroll Liaison Officer,
HEW, CDC, NIOSH,
Financial Mgmt. Branch,
Parklawn Bldg., DANAC 3-32 F,
5600 Fishers Lane,
Rockville, Maryland 20852.

NIH, NIEHS—Payroll Liaison Officer,
National Institute of Environmental Health Sciences, NIH,
P.O. Box 12233,
Research Triangle Park,
North Carolina 27709

HSA, HRA, ASH—Payroll Liaison Officer, PHS,
Room 1649, Parklawn Bldg.,

5600 Fishers Lane,
Rockville, Maryland 20852.

ADAMHA—Payroll Liaison Officer,
ADAMHA, Room 1399, Parklawn Bldg.,
5600 Fishers Lane,
Rockville, Maryland 20852.

HEW HSA FHPS—Payroll Liaison Officer,
Administrative Asst.,
6525 Belcrest Road,
West Hyattsville, Maryland 20782.

09-90-0018

System name: Personnel Records in Operating Offices. HEW/OS/
ASPER.

Security classification: None.

System location: Operating Offices of the Department at the organizational level of the individual's employment. Such offices are located within organizational components services by personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Categories of individuals covered by the system: Current employees of the Department.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed. These records may contain information about an individual relating to name; birth date; home address; telephone number; emergency address; social security number; veterans preference; tenure; work connected injuries; handicapped code; employment history; qualifications background; past and present salaries, grades and position titles; training; awards and other recognition; counseling; performance appraisal; conduct; pay and leave; and data documenting reasons for personnel actions, decisions or recommendations made about an employee; and background data and documentation leading to an adverse action being taken against an employee.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 7501, 7511, 7521 and Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

1. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

2. In the event an appeal is made outside the Department, records which are relevant may be referred to the appropriate agency charged with rendering a decision on the appeal.

3. In accordance with Appendix B of the Departmental Regulations (45 CFR Part 5b) Items 1, 3, 4, 5, 6, 7, 8, 9.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and index cards.

Retrievability: Records are indexed by any combination of name, birth date, social security number, or identification number. Records are used by operating officials in carrying out their personnel management responsibilities. They may be used in this connection in recommending or taking personnel actions such as are related to appointments, transfers, promotions, reassignments, adverse actions; as a base for employee development, training, recognition, reprimands, and disciplinary actions; for making decisions on employee

complaints; and as a base for staffing and budgetary planning and control, organizational planning, and for manpower utilization purposes, and for preparing statistical or summary reports. They may also be used by appropriate officials in making decisions on grievances, appeals and adverse actions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Records are retained until there is no further administrative need to retain them, or the individual leaves the Department, and are then either destroyed, or, if appropriate, are combined with the Official Personnel Folder, which is forwarded to the National Personnel Records Center.

System manager(s) and address: Personnel Officers of the Department. See Applicants for Employment Records, HEW System 09900006, Appendix I.

Notification procedure: Immediate supervisors of individuals or the administrative offices of the organizational units in which employed. The system manager shown above may also provide further information concerning the existence of this system of records. Individuals should provide their name, social security number, and organization in which employed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records either comes from the individual to whom it applies, is derived from information supplied by the individual, or is provided by Department officials.

Systems exempted from certain provisions of the act: None.

09-90-0019

System name: Special Employment Programs. HEW/OS/ASPER.
Security classification: None.

System location: Personnel Offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1 and operating offices in organizational units services by those personnel offices, in which employees are employed.

Categories of individuals covered by the system: Current Federal employees of the Department who are participating in special employment programs.

Categories of records in the system: This system consists of a variety of records relating to an employee's participation in special employment programs such as the Upward Mobility College, START, STRIDE, ACCESS, Worker Trainee Opportunity, Junior Fellows, Management Intern, Personnel Intern and the HEW Fellows Program. Examples of information which this records system may contain include the employee's name, SSN, program enrolled in, employing agency, grade, job title, job series, sex, date of birth, status, education background, handicap code, application for employment, position description, assignment evaluations, Veterans preference, job counseling records, and letters of reference and recommendations.

Authority for maintenance of the system: 5 U.S.C. 1301, 3301, 7151 et. seq., Executive Order 11813.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be used:

1. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

2. In accordance with Items 1, 3, 4, 5, 6, 7, 8, 9 of the Departmental Regulations (45 CFR Part 5b), Appendix B.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is

likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system of records is maintained in file folders, data tape and punch cards.

Retrievability: Records are retrievable by name and SSN. Records are used by personnel offices and operating officials to monitor the progress of the individual in the special program, for career planning, and for taking personnel actions.

Safeguards: Access and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Records are retained for two years after the individual's participation in a special placement program ends, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit X293-1-2, item 9.)

System manager(s) and address: Personnel Officers shown in Applicants for Employment Records, HEW System 09900006, Appendix 1, who service organizational units in which the participant is employed.

Notification procedure: Same as above. Individuals should include their name, SSN, grade, title, and organization when contacting the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department officials.

09-90-0020

System name: Suitability for Employment Records. HEW/OS/ASPER.

Security classification: None.

System location: Personnel Offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Categories of individuals covered by the system: Federal employees of the Department, and applicants for employment.

Categories of records in the system: This system consists of a variety of records relating to an individual's suitability for employment in terms of character, reputation and fitness, including letters of reference, responses to pre-employment inquiries. National Agency Checks and Inquiries material received from the Office of Personal Management and Merit Systems Protection Board including its Office of the Special Counsel relating to non-sensitive positions, qualifications and character investigations, and other information which may relate to the suitability of the individual for the position.

Authority for maintenance of the system: 5 U.S.C. 3301, 3302, 7301; Executive Order 10577; Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

b. In accordance with Appendix B, Departmental Regulations (45 CFR Part 5b) Items 01, 3, 4, 5, 6, 7, 8, 9.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States

where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by any combination of name, date of birth, Social Security Number, or identification number. Information in these records is used by designated appointing and selecting authorities to determine an individual's suitability for employment by consideration of factors present in such records.

Safeguards: Records are maintained in confidential files and are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Records from the Office of Personnel Management and Merit Systems Protection Board including its Office of the Special Counsel concerning applicants for or incumbents of non-sensitive positions, are retained until a decision is reached on whether to hire or retain the applicant or incumbent, and are then destroyed. Other records in this system are retained until there is no further administrative need for them, the individual leaves the Department, or one year has elapsed, and are then destroyed. (See HEW Personnel Instruction 293-1, Exhibit x293-1-2, items 1 and 2.)

System manager(s) and address: Heads of personnel offices which service organizational units in which individual is employed or in which he/she applied for employment. See Applicants For Employment Records, HEW, System 09900006, Appendix 1.

Notification procedure: Same as above. Individuals should indicate name, Social Security Number, date of birth, and organization in which employed, or to which they applied for employment.

Record access procedures: Current Department employees or applicants should contact the appropriate system manager shown above. Former Department employees who are employed by the Federal Government who wish to gain access or contest the records maintained on them while employed by the Department should contact the appropriate official of their current employing agency in accordance with the appropriate records system notice of that agency. Former Department employees who have separated from Federal service should direct a request to:

National Personnel Records Center
General Services Administration
111 Winnebago Street
St. Louis, Missouri 63118

Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information contained in the system is obtained from the categories of sources:

Applications and other personnel and security forms furnished by the individual.

Information furnished by other Federal agencies.

Information provided by sources such as employers, schools, references, former employers.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except when in accordance with the provisions of 5 U.S.C. 552a(k)(5); 1. disclosure of such information would reveal the identity of a source who furnished information to the Government under a express promise that the identity of the source would be held in confidence, or 2. if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (45 CFR 5b.11).

09-90-0021

System name: Training Management Information System. HEW/OS/ASPER

Security classification: None.

System location:

Office of Personnel
Office of the Assistant Secretary for Personnel Administration
Department of Health, Education, and Welfare
200 Independence Ave, S.W.
Washington, D.C. 20201
Personnel offices shown in Applicants for Employment Records, HEW System 09900006, Appendix 1.

Categories of individuals covered by the system: All employees who receive training in a course which was more than 8 hours in length and which was authorized under the authority of the Government Employees Training Act.

Categories of records in the system: The Training Management Information System consists of a variety of records relating to training received by an employee. In addition to the name of the employee, the system includes information about the employee's Social Security Account Number, position title, grade, salary, pay plan, series, tenure, years of continuous service, nature of training taken, cost of training and dates of training.

Authority for maintenance of the system: 5 U.S.C. 4101 et seq.; Executive Order 11348.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used:

- In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01, 3, 4, 5, 6, 7, 8, 9.
- By the Office of Personnel Management in carrying out its functions.
- To other Federal agencies or private organizations to authorize training.
- Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data tape.

Retrievability: Records are indexed by any combination of name, birth date, SSN or transaction number. Information is used to maintain a history of training of the individual during his employment with the Department, as a basis for determining future training needs of the individual, for evaluating the Department's training program, for auditing and budgetary planning purposes and for related analytical and operational personnel management functions.

Safeguards: The information is available only to authorized personnel. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Records are retained in the automated data file until the individual leaves the Department.

System manager(s) and address:

Deputy Assistant Secretary for Personnel
Office of Personnel
Department of Health, Education, and Welfare
200 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Contact the deputy Assistant Secretary for Personnel or the personnel office shown in Applicants for Employment Records, HEW System 09900006, Appendix 1, which services the organizational unit in which the individual is employed. The individual should indicate name, position title, grade and series and organization in which located.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of record is: 1) supplied directly by the individual, or 2) derived from information supplied by the individual, or 3) supplied by Department or by source of training officials.

Systems exempted from certain provisions of the act: None.

09-90-0022

System name: Volunteer EEO Support Personnel Records. HEW/OS/ASPER.

Security classification: None.

System location:

Office of the Deputy Assistant Secretary
for EEO

200 Independence Avenue, S.W.

Washington, D.C. 20201.

Offices of the designated EEO Officers in Principal Operating Components, Office of the Secretary, Health Agencies, Education Agencies and Regional Offices. See Discrimination Complaints Records System, HEW System 09900009, Appendix 01 for exact locations.

Categories of individuals covered by the system: Individuals who have volunteered or have been proposed for duty as EEO Counselors and discrimination complaint investigators on a part-time basis.

Categories of records in the system: This system of records contains information or documents concerning personal characteristics of EEO counselors and investigators. The records consist of the name and other identifying data, title, location, training receive, information concerning qualifying background, case assignments, and evaluations of EEO counselors and investigators serving on a part-time basis, and related information.

Authority for maintenance of the system: Executive Order 11478, P. L. 92-261, P. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

- To provide resource to another Federal agency, in response to its request for loan of investigators or counselors.
- In accordance with Appendix B Departmental Regulations (45 CFR Part 5b.), Items 01, 3, 4, 5, 6, 7, 8, 9.
- By the Office of Personnel Management, Merit Systems Protection Board (including its office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.
- Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders and index cards.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained. They may be used: for identification, location and determination of availability of volunteer counselors and investigators for assignment to counsel complainants and to investigate complaints; to respond to inquiries regarding availability of counselor resources or determination regarding location

and the jurisdictional propriety of an investigator resource; for determining training needs of EEO counselors and investigators; to provide information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; and to locate specific individuals for personnel research or other personnel management functions.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access.

Retention and disposal: The records are maintained up to one year after volunteer has terminated his services, at which time they are destroyed.

System manager(s) and address: See Discrimination Complaints Records System, HEW System 09900009, Appendix 1 for General Coordinator and appropriate Immediate System Manager.

Notification procedure: Individuals who have volunteered or been proposed as counselors or investigators are aware of that fact and the information contained in the record. They may, however, write the immediate system manager or coordinator indicated above regarding the existence of such records pertaining to them. The inquirers, as appropriate, should provide to the immediate system manager or coordinator, their name, agency in which they were proposed or served when making inquiries about records.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories:

- Individuals to whom the record pertains
- Department or other officials
- Official documents relating to appointments and case assignments as counselors and investigators
- Correspondence for specific persons or organizations
- Formal reports submitted by the individual in the performance of official volunteer work.

Systems exempted from certain provisions of the act: None.

09-90-0036

System name: Employee Suggestion System. HEW/OS/ASPER

Security classification: None.

System location: This system is located in employee suggestion offices at the Department. See Appendix 1 for exact locations.

Categories of individuals covered by the system: Individuals who have made suggestions in OS and in Principal Operating Components of the Department; and/or suggestions made by individuals in other Federal Departments requiring an HEW evaluation.

Categories of individuals covered by the system: Evaluations of suggestions, name and address of individuals submitting suggestions, other identifying information such as salary and grade, including position title, and, optionally, a social security account number.

Authority for maintenance of the system: 5 U.S.C. 4501 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the office of Personnel Management for information, possible award. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in standard sized file cabinets.

Retrievability: The records are indexed in alphabetical order by the name of the employee submitting the suggestion. Records are available to Suggestion Coordinator's Staff having as part of their duties processing of suggestions. Control records are used by staff to log in suggestions, route suggestions, follow-up suggestions, and to adjudicate suggestions receiving awards. In addition, control cards are used to facilitate preparation of the annual report for the Department. Records may be disclosed for evaluation purposes to officials in program areas affected by the suggestions.

Safeguards: Direct access restricted to authorized staff.

Retention and disposal: Suggestions records are maintained for two years, and sent to Federal Record Center.

System manager(s) and address: See Appendix 1 for overall system manager and immediate system managers.

Notification procedure: Contact the appropriate system manager indicated in Appendix 1.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Incoming suggestions, responses and other material obtained during course of adjudication.

Appendix 1

List of System Managers and Locations for Employee Suggestion Matters:

Overall System Manager:

Employee Suggestion Officer
Room 4355, HEW North Bldg.
330 Independence Avenue, S.W.
Washington, D.C. 20201

Immediate System Managers:

Employee Suggestion Officer
Social Security Administration
Annex Building, Room 3-N-6
Baltimore, Maryland

Employee Suggestion Officer
Health Care Financing Administration
GP3, East Low Rise
6401 Security Blvd.
Baltimore, Maryland 21235

Employee Suggestion Officer
Office of Education
400 Maryland Ave. SW., Room 1167
Washington, D.C. 20201

Employee Suggestion Officer
National Institute of Education
Brown Building, Room 642B
1200 19th Street NW.
Washington, D.C. 20208

Employee Suggestion Officer
Office of Human Development Services
Humphrey Building, Room 345D
200 Independence Ave. SW.
Washington, D.C. 20201

OASH Employee Suggestion Officer
17-18 Parklawn Building
Rockville, Maryland 20857

CDC Employee Suggestion Officer
1600 Clifton Road NE.
Building 1, 6062
Atlanta, Georgia 30333

FDA Employee Suggestion Officer
5600 Fishers Lane, Room 957
Rockville, Maryland 20857

HRA Employee Suggestion Officer
Center Building, Room 927
3700 East-West Highway
Hyattsville, Maryland 20782

HSA Employee Suggestion Officer
Room 14A.40 Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

ADAMHA Employee Suggestion Officer
12C-15 Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

NIH Employee Suggestion Officer
Building 31, Room 3-B-07
Bethesda, Maryland 20014

Regional Employee Suggestion Officer
Region I
Department of Health, Education, and Welfare
John F. Kennedy Federal Building
Government Center—Room 1503
Boston, Massachusetts 02203

Regional Employee Suggestion Officer
Region II
Department of Health, Education, and Welfare
Federal Building, Room 3838-H
26 Federal Plaza
New York, New York 10007

Employee Suggestion Officer
Region III
Department of Health, Education, and Welfare
3535 Market Street, Room 9400
Philadelphia, Pennsylvania 19101

Employee Suggestion Officer
Region IV
Department of Health, Education, and Welfare
101 Marietta Towers, Room 1601
Atlanta, Georgia

Employee Suggestion Officer
Region V
27th Floor
300 S. Wacker Drive
Chicago, Illinois 60606

Employee Suggestion Officer
Region VI
Department of Health, Education, and Welfare
1200 Main Towers, Room 1000
Dallas, Texas 75202

Employee Suggestion Officer
Region VII
Department of Health, Education, and Welfare
Room 468
601 E. 12th Street
Kansas City, Missouri 64106

Employee Suggestion Officer
Region VIII
Department of Health, Education, and Welfare
Federal Office Building, Room 419
1961 Stout Street
Denver, Colorado 80294

Employee Suggestion Officer
Region IX
Department of Health, Education, and Welfare
Federal Office Building, Room 419
50 Fulton Street
San Francisco, California 94102

Employee Suggestion Officer
Region X
Department of Health, Education, and Welfare
Arcade Plaza, Room 6039

1321 Second Avenue
Seattle, Washington 98101

09-90-0059

System name: Federal Advisory Committee Membership Files, HEW OS-ASPER-DCMO.

Security classification: None.

System location: System location is determined by nature of advisory committee. See Appendix 1.

Categories of individuals covered by the system: Individuals who have been or are presently members of or are being considered for membership on advisory committees within the jurisdiction of the Department of Health, Education, and Welfare. Additionally the system of records contains information about members of the public who have requested that they receive various publications through the inclusion of their names and addresses on various mailing lists.

Categories of records in the system: Information maintained on those individuals who have requested participation on mailing lists is limited to name and mailing address. Information maintained on individuals who are past, present, or recommended members of advisory committees subject to this notice consists of one or more of the following: name, title, sex, place and date of birth, home address, business address, organizational affiliation, phone number, degrees held, general educational background, ethnic background, resume, curriculum vitae, dates of term on advisory committee, status on advisory committee, reason for leaving advisory committee, previous or current membership on other advisory committees, special qualifications of the individual for the advisory committee membership, source who recommended the individual for membership on advisory committee and miscellaneous correspondence. Additionally, memoranda justifying the individual's selection are included in the file in cases in which the individual has served repetitively on advisory committees, has not had a one-year break in service on advisory committees, or where various statutory or other requirements for advisory committee membership cannot be met.

Authority for maintenance of the system: Federal Advisory Committee Act (5 U.S.C. App. I et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the President; administrative reports to OMB and GSA. In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Items 01, 3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the Record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy filed in file cabinets, on index cards, on magnetic tape, or in computer storage.

Retrievability: For the most part records are maintained in an alphabetical index by name of the individual. Certain files are based on other factors, e.g. Advisory Committee name, with a cross index based on an alphabetical listing of individuals. Certain other records are retrievable by individually identifiable computer identification codes. Certain of the mailing lists which are maintained are indexed by ZIP Code and within zone by alphabetical listing by name of the individual. Records from the system are available to the staffs of the respective Advisory Committees, the Committee Management Officers, the Departmental Committee Management Officer and other Departmental staff on a need-to-know basis. Uses include special administrative reports; quarterly alphabetical listings of past, present, and recommended members of Advisory Committees; computer lists of vacancies, acceptances, separations, active members, statistical reports by sex, youth, geographical location, etc; documentation of nominations; and other administrative needs.

Safeguards: Direct access to records is restricted to authorized personnel through locked files, rooms, and buildings as well as building pass and security guard sign-in systems. Certain facilities are also protected by closed circuit television systems. Computer systems are

secured through locked magnetic tape libraries as well as lockword-password computer access systems.

Retention and disposal: Retention is variable from one year to permanent retention depending upon the type of record, e.g., names of former members of advisory committees are retained permanently. Certain records are disposed of by referral to the Federal Records Center. Others are disposed of as trash by the system manager or office of security depending upon the confidentiality of the information contained on the record.

System manager(s) and address: See Appendix 1. Federal Advisory Committee Membership Files.

Notification procedure: Same as above with the exception of Food and Drug Administration, contact:

FDA Privacy Coordinator (HF-50)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20852

Verification of identification of individuals inquiring as to information contained in this System of Record shall be in accordance with the procedures outlined in regulations published by the Department of Health, Education, and Welfare to implement the Privacy Act.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: The vast majority of information contained in records on individuals is obtained directly from the individual. Other information in the form of references and recommendations is obtained from other private individuals, program personnel, biographical reference books, private organizations, former employers, regional office of HEW, Members of Congress, and other government sources.

Appendix Number 1 Federal Advisory Committee Membership Files.

Department of Health, Education, and Welfare
Department Committee Management Officer
Departmental Policy Coordinator
Room 522A, Humphrey Bldg.
200 Independence Avenue, S.W.
Washington, D.C. 20201

Alcohol, Drug Abuse, and Mental Health Administration
Office of the Administrator
Committee Management Officer
Room 13-103
5600 Fishers Lane
Rockville, Maryland 20857

Center for Disease Control
Committee Management Officer
Management Analysis Branch
Room 111 PFY
255 E. Paces Ferry Road, N.E.
Atlanta, Georgia 30305

Food and Drug Administration
Office of Science
Committee Management Office
Room 1137
5600 Fishers Lane
Rockville, Maryland 20857

Health Care Financing Administration
Records Committee Management Officer
Bay A-1, 1710 Gynn Oak Avenue
Baltimore, Maryland 21235

Health Resources Administration and
Health Services Administration
Division of Management Services
Committee Management Officer
Room 9-50
Center Building

3700 East-West Highway
Hyattsville, Maryland 20782

National Institutes of Health
Committee Management Officer
National Institutes of Health,
Building 01, Room 303
Bethesda, Maryland 20014

Office of Education
Office of Management
Committee Management Officer
Committee Management Staff
Room 2135
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Social Security Administration
OMA, Management Policy and Programs Branch
Committee Management Officer
Room 828, Altmeyer Building
6401 Security Boulevard
Woodlawn, Maryland 21235

National Institute of Education
Committee Management Officer
Room 639-B, Brown Building
1200 19th Street, N.W.
Washington, D.C. 20208

Office of the Assistant Secretary for Education
Committee Management Officer
Room 314-G, HHH Building
200 Independence Ave., S.W.
Washington, D.C. 20201

Office of the Assistant Secretary for Health
Committee Management Officer
Room 17B-20
5600 Fishers Lane
Rockville, Maryland 20852

Office of the Assistant Secretary for Planning and Evaluation
Committee Management Officer
Room 405-F, HHH Building
200 Independence Ave., S.W.
Washington, D.C. 20201

Office of the Assistant Secretary for Human Development
Services
Committee Management Officer
Room 308-E, HHH Building,
200 Independence Ave., S.W.
Washington, D.C.

09-90-0069

System name: Unfair Labor Practice Records. HEW/OS/ASPER.
Security classification: None.

System location: Personnel Offices of the Department shown in Applicants for Employment Records, HEW System 09900006, Appendix 1 and offices of operating officials in organizational units serviced by those Personnel Offices.

Categories of individuals covered by the system: Current HEW employees and union officials.

Categories of records in the system: This system of records consists of a variety of records relating to an unfair labor practice charge. Examples of information which may be included in this system are the employee's name, Social Security Number, grade, job title, employment history and a variety of work and personnel records associated with the charges and required under proceedings established by Title 5, United States Code, Chapter 71 and Department of Labor Regulations.

Authority for maintenance of the system: Executive Order 11491, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system may be released to:

1. Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses panel) in carrying out their functions;

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are retrievable by name. They are used to make a determination on and to document a decision made on an unfair labor practice charge filed by an employee or union official. Information from this system may be used by Department officials for preparing statistical summary or management reports.

Safeguards: When not in use by authorized persons, these records are stored in lockable metal file cabinets. Access to and use of these records are limited to personnel who have a need for the records in performance of official duties.

Retention and disposal: The case files are maintained as long as they may be pertinent for purposes of precedent or as management information devices. When no longer useful for such purposes, they are destroyed.

System manager(s) and address: Personnel Officer shown in Appendix 1 of Applicants for Employment Records, HEW System 09900006, who services the organizational unit in which the individual is employed.

Notification procedure: Contact the systems manager and provide name, approximate date of record, the unfair labor practice charge as specified by the complainant, and management component in which the charge was filed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information in this system of records is:

1. Supplied directly by the individual, or
2. Derived from information supplied by the individual, or
3. Supplied by testimony of witnesses, or
4. Supplied by union officials, or
5. Supplied by Department officials.

Systems exempted from certain provisions of the act: None.

[FR Doc. 79-29602 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-12-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development Services

Privacy Act of 1974

Systems of Records; Annual Republication

AGENCY: Office of Human Development Services, DHEW

ACTION: Annual republication of notices of systems of records

SUMMARY: The Office of Human Development Services publishes this document to meet the requirements of 5 U.S.C. 552a(e)(4). The listing is complete as of August 31, 1979, and does not include any material which would require a new or altered system report as described in OMB Circular A-108. The notices do not contain any new routine uses. If any errors appear because of inadvertent oversight, we will publish corrections in later issues of the Federal Register.

Dated: September 18, 1979.

Arabella Martinez,

Assistant Secretary for Human Development Services.

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- 09-80-0007—National Center for Child Advocacy Mailing List. HEW HDS ACYF CB.
- 09-80-0009—ACYF Mailing List HEW HDS ACYF R10.
- 09-80-0010—Mailing List for ANA Publications. HDS ANA.
- 09-80-0011—Consultants for Federal Technical Assistance Program. Vocational Rehabilitation Services. HEW HDS RSA.
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- 09-80-0018—Mailing Keys. HEW/HDS/RSA.
- 09-80-0019—Correspondence Files. HEW/HDS/RSA.

09-80-0002

System name: Developmental Disabilities Complaints and Correspondence Files HEW HDS RSA DDO RO7.

Security classification: None.

System location:

Room 384
601 East 12th Street
Kansas City, Missouri 64106

Categories of individuals covered by the system: Individuals who have made inquiries regarding complaints or requested information regarding services from Developmental Disabilities program; and those who have commented to the Department on its proposed rules and practices.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of material associated with investigations of complaints or relaying information to appropriate State or local Development Disabilities agencies.

Authority for maintenance of the system: Developmental Disabilities Services and Construction Act (P.L. 94-103).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress who inquire on behalf of a constituent; to a State or local agency or institution against which a complaint has been made; See Departmental Regulations, (45 CFR Part 5b) Appendix B Items 1,8. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such

employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: For the most part records are indexed according to State and within each State by alphabetical name of inquirer. Records are available to DDO staff involved in correspondence and investigative processes, including members of the Office of General Counsel. Occasionally, personnel with special expertise in other programmatic areas or responsible persons at State or local agencies may be given records for the purpose of assisting DDO staff in resolution of issues.

Safeguards: Direct access is restricted to authorized DDO staff; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room.

Retention and disposal: Inquiry records are maintained three years; complaint and investigative records are maintained five years past date of case closing and then sent to Federal Records Center.

System manager(s) and address:

Director, Developmental Disabilities Office
601 East 12th Street, 3rd Floor
Kansas City, Missouri 64106

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations. (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation, individuals themselves.

Systems exempted from certain provisions of the act: None.

09-80-0006

System name: National Center on Child Abuse and Neglect Mailing list. HEW HDS ACYF CB.

Security classification: None.

System location:

Room 5564
400 - 6th Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Persons interested in the National Centers publications, interested in making grant applications, project directors, social workers and others interested in information on child abuse and neglect.

Categories of records in the system: Names, titles, addresses.

Authority for maintenance of the system: P.L. 95-266, The Child Abuse Prevention and Treatment Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates, paper files.

Retrievability: Indexed alphabetically. Various categories of institutions, agencies, organizations are cross-indexed.

Safeguards: Available only to authorized personnel.

Retention and disposal: Names are kept indefinitely; may be removed on request.

System manager(s) and address:

Communications Specialist
Room 5564
400 - 6th Street, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Grant applications, letters, telephone calls, other OCD mailing lists, individuals themselves.

Systems exempted from certain provisions of the act: None.

09-80-0007

System name: National Center for Child Advocacy Mailing List. HEW HDS ACYF CB.

Security classification: None.

System location:

Room 5819
400 - 6th Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Persons interested in Child Advocacy activities including social workers, foster parents, juvenile court judges, Community Coordinated Child Care program directors, various Federal staff and members of the general public who have requested information.

Categories of records in the system: Names, titles, addresses.

Authority for maintenance of the system: Children's Bureau Act of 1912.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plate, paper file.

Retrievability: Indexed alphabetically, cross-indexed by area of subject interest.

Safeguards: Available only to authorized personnel.

Retention and disposal: Names kept on file indefinitely; may be removed on request.

System manager(s) and address:

Chief, Program Development & Innovation Division.
Room 5819
400 - 6th Street, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Other ACYF mailing lists grant applications, letters, telephone calls, individuals themselves.

Systems exempted from certain provisions of the act: None.

09-80-0009

System name: ACYF Mailing List HEW HDS ACYF R10.

Security classification: None.

System location:

Administration for children, Youth & Families
1921 2nd Avenue, MS 622
Seattle, Washington 98101

Categories of individuals covered by the system: ACYF grantees, affiliates, persons requesting information on ACYF programs.

Categories of records in the system: Mailing key contains persons' names, titles, and addresses only.

Authority for maintenance of the system: Community Services Act of 1974 (42 U.S.C. 2701).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On 3 x 5 index cards and metal plates.

Retrievability: Indexed by code using letters and numbers; used for correspondence, to distribute program information.

Safeguards: Access by authorized personnel only.

Retention and disposal: List is continually updated. Information is kept as long as accurate and persons are still interested in receiving information, then they are destroyed.

System manager(s) and address:

Head, ACYF
Region X
1921 2nd Avenue, MS 622
Seattle, Washington 98101

Notification procedure: Any inquiry regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Source of information is directly from grantees and interested persons wanting to receive information.

Systems exempted from certain provisions of the act: None.

09-80-0010

System name: Mailing list for ANA publications. HDS ANA.

Security classification: None.

System location:

Room 357G Humphrey Building
200 Independence Ave., S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals, organizations or grantees who request information on Native American Programs.

Categories of records in the system: Name and address of individuals, grantees or organizations who request information.

Authority for maintenance of the system: P.L. 93-644 Headstart, Economic Opportunity, and Community Partnership Act, 1974, Title VIII—Native American Programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The addresses are kept in card index file box.

Retrievability: Indexed by individual or organizational name.

Safeguards: Access to authorized personnel only.

Retention and disposal: List is a permanent mailing list, but is updated periodically.

System manager(s) and address:

Public Information Office
Room 357G Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201.

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Incoming correspondence, individuals themselves.

Systems exempted from certain provisions of the act: None.

09-80-0011

System name: Consultants for Federal Technical Assistance Program, Vocational Rehabilitation Services. HEW HDS RSA.

Security classification: None.

System location:

Room 3325
330 C Street, S.W.
Washington, D.C. 20201.

Categories of individuals covered by the system: Technical Assistance Consultants.

Categories of records in the system: Name, address, education, experience (general business resume of qualifications).

Authority for maintenance of the system: P.L. 93-112, Sec. 304C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, standard metal file cabinets.

Retrievability: Indexed alphabetically.

Safeguards: Access limited to RSA staff.

Retention and disposal: Files maintained for two years then retired to Federal Records Center.

System manager(s) and address:

Rehabilitation Program Specialist
Room 3325,
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-80-0012

System name: Office of Rehabilitation Services Mailing Lists. HDS-ORS-R10

Security classification: None.

System location:

Department of Health, Education, and Welfare
Office of Rehabilitation Services
Room 615, Arcade Plaza Building
1321 Second Avenue
Seattle, Washington 98101

Categories of individuals covered by the system: Providers of rehabilitation services in Region X, individuals who have requested that they receive program information, grantees, grant applicants.

Categories of records in the system: Name, address, title, phone numbers.

Authority for maintenance of the system: P.L. 93-112.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card files.

Retrievability: Indexed by name. Used by ORS staff to disseminate program information.

Safeguards: Access by authorized personnel only.

Retention and disposal: Regained indefinitely and updated periodically.

System manager(s) and address:

Director, Office of Rehabilitation Services
HDS, HEW, MS 622
Arcade Plaza Building
1321 Second Avenue
Seattle, Washington 98101

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Individuals themselves, from grant applications.

Systems exempted from certain provisions of the act: None.

09-80-0014

System name: Runaway Youth Act Mailing Lists HEW HDS ACYR YDB.

Security classification: None.

System location:

Print Shop
Room 320G, North Bldg.
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals who make inquiries regarding publications, grant programs and other matters related to the Runaway Youth Act.

Categories of records in the system: Names, addresses and titles of individuals and agencies.

Authority for maintenance of the system: 42 U.S.C. 5701.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To members of Congress; to agencies in the youth field; to Colleges and to other Federal agencies on request. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates.

Retrievability: Mailing lists are indexed with OYD code numbers and indexed alphabetically.

Safeguards: Direct access restricted to authorized OYD staff.

Retention and disposal: Mailing lists are maintained indefinitely.

System manager(s) and address:

Director, Youth Development Bureau
3065 North Bldg.
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the officials at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: From individuals requesting by phone or letter to be placed on list.

Systems exempted from certain provisions of the act: None.

09-80-0015

System name: National Clearinghouse on Aging-Mailing Keys HDS AOA NCA.

Security classification: None.

System location:

4553 North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals interested in the field of aging.

Categories of records in the system: Name, title, and address of individual or organization.

Authority for maintenance of the system: Older Americans Act of 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in a card index file and computer storage. A listing of the various lists by type of organization or purpose and the number of addresses on each list, plus the number of copies to be distributed, is maintained.

Retrievability: Indexed by name of individual or organization used by staff for mailing AOA publications, fact sheets, and press releases.

Safeguards: Card index may be inspected on demand but general use restricted to authorized personnel.

Retention and disposal: Lists are circularized yearly as required by the Joint Committee on Printing, and individuals not responding are dropped from list.

System manager(s) and address:

Director, Office of Public Information
4553 North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: From Individuals themselves, professional directories, grant files.

Systems exempted from certain provisions of the act: None.

09-80-0016

System name: Children's Bureau General Mailing List HEW HDS ACYF CB.

Security classification: None.

System location:

Room 3853
400 - 6th Street, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Individuals interested in Children's Bureau programs, ACYF consultants.

Categories of records in the system: Names, addresses, titles.

Authority for maintenance of the system: Children's Bureau Act of 1912.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has

agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates, paper files.

Retrievability: Indexed alphabetically by name.

Safeguards: Available only to authorized personnel.

Retention and disposal: Records kept indefinitely. Names are removed on request.

System manager(s) and address:

Director, Public Education Division
ACYF
Room 3853
400 - 6th St., SW.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Individuals themselves.

Systems exempted from certain provisions of the act: None.

09-80-0017

System name: Children Today Mailing List HEW HDS ACYF CB.

Security classification: None.

System location:

Room 3836
400 - 6th Street SW.
Washington, D.C. 20201

Categories of individuals covered by the system: Subscribers and contributors to Children Today.

Categories of records in the system: Names and addresses of subscribers and contributors.

Authority for maintenance of the system: Children's Bureau Act of 1912.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates, paper files.

Retrievability: Indexed alphabetically by name.

Safeguards: Available to authorized persons only.

Retention and disposal: Records are retained indefinitely, names removed by request.

System manager(s) and address:

Editorial Assistant
Room 3836
400 - 6th Street SW.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Incoming correspondence, telephone calls, individuals themselves.

Systems exempted from certain provisions of the act: None.

09-810-0018

System name: Mailing keys. HEW/HDS/RSA.

Security classification: None.

System location:

Executive Assistant to the Commissioner
Room 3000, MES Building
330 C Street SW.
Washington, D.C. 20201

Categories of individuals covered by the system: State vocational rehabilitation agencies (general and blind), rehabilitation facilities, persons interested in statistics, persons interested in the deaf.

Categories of records in the system: Names of agency or individual, and address.

Authority for maintenance of the system: The Rehabilitation Act of 1973 (P.L. 93-112) and the Rehabilitation Amendments of 1974 (P.L. 93-516).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: IBM Master Cards are stored in file drawers.

Retrievability: These IBM cards are filed by key number, City and State and Zip Code.

Safeguards: Only authorized persons allowed access.

Retention and disposal: Maintained as long as necessary and then destroyed.

System manager(s) and address:

Executive Assistant to the Commissioner
Room 3000, MES Building
330 C Street SW.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: From agencies or individuals themselves.

Systems exempted from certain provisions of the act: None.

09-80-0019

System name: Correspondence Files HEW/HDS/RSA.

Security classification: None.

System location:

Room 3000, MES Building
330 C Street SW.
Washington, D.C. 20201

Categories of individuals covered by the system: Members of Congress, The White House, departments and agencies of Federal, State and local government, private voluntary groups and the general public.

Categories of records in the system: Name and address of individuals submitting correspondence, responses and exchanges of information associated with the Federal-State vocational rehabilitation program.

Authority for maintenance of the system: The Rehabilitation Act of 1973 (P.L. 93-112) and the Rehabilitation Amendments of 1974 (P.L. 93-516).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file cabinets.

Retrievability: Congressional correspondence filed by name of Congressman. Other correspondence filed in alphabetical order by name of signer.

Safeguards: Access to authorized individuals only.

Retention and disposal: Inquiry records are maintained five years and sent to the Federal Records Disposal Center.

System manager(s) and address:

Executive Assistant to the Commissioner
Room 3000, MES Building
330 C Street, SW.
Washington, D.C. 20201

Notification procedure: Any inquiries regarding these systems of records should be in writing and should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411).

Record source categories: Incoming correspondence, responses and material provided by individual.

Systems exempted from certain provisions of the act: None.

[FR Doc. 79-29601 Filed 10-5-79; 8:45 am]

BILLING CODE 4110-92-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

EDUCATION DIVISION

Privacy Act of 1974

SYSTEMS OF RECORDS; ANNUAL PUBLICATION

AGENCY: Department of Health, Education, and Welfare (DHEW) Education Division (Assistant Secretary for Education, Office of Education, National Institute of Education)

ACTION: Annual publication of notices of systems of records

SUMMARY: This annual publication of the DHEW Education Division's notices of systems of records is required by law, 5 U.S.C. 552a(e)(4), and is complete as of September 20, 1979. This listing contains no material which would require a new or altered system report as described in OMB Circular A-108, nor does it contain any new routine uses. In the past year, the Education Division published individual notices of new or altered systems of records and new routine uses, as required, in the Federal Register. The notices in this listing include changes for the purposes of completeness, clarity, timeliness, and correctness.

Certain routine uses that apply to a number of systems of records are set forth in Appendix B preceding the Education Division notices. The systems of records notices refer to the appendix as "Appendix B of the Departmental regulations (45 CFR 5b)." When the notice cites a specific routine use in Appendix B, that routine use supplements other routine uses already mentioned in the text of the individual notices.

For further Information Contact:

OE Systems Notices: Mr. William A. Wooten, Chief, Administrative Compliance Staff, Office of Education, Room 3851 Donohoe Building, 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone (202) 472-2655.

NIE Systems Notices: Mr. Richard S. Werksman, Privacy Act Coordinator, Administrative Policy Staff, Office of Administration Management, and Budget, National Institute of Education, Room 682, 1200 19th Street, N.W., Washington, D.C. 20208. Telephone (202) 254-7924.

SUPPLEMENTARY INFORMATION: Following is an explanation of changes that are being made to the previously published DHEW notices of systems of records that appeared in the Federal Register on September 27, 1978:

OFFICE OF EDUCATION

Deletion:

09-40-0070

Alcohol and Drug Abuse Education Program—List of Consultants for the Alcohol and Drug Abuse Education Project (Technical Assistance Contractor)—43 FR 44185 (9-27-78). OE deletes this notice because the system no longer exists.

NATIONAL INSTITUTE OF EDUCATION

Deletion:

09-42-0004

Life Plans Study: The Impact of the Women's Movement of Educational and Occupational Behavior and Attitudes of Married Women—43 FR 44189 (9-27-78). NIE improperly identified this study as a system of records as defined under the Privacy Act of 1974, and now deletes the system notice.

Change:

09-42-0066

National Institute of Education, Sources and Effects of Teacher Expectations—43 FR 44192 (9-27-78). The new information should read:

Retention and disposal: NIE will maintain the list of names until June, 1980, at which time NIE will archive the data without person-

APPENDIX B OF DEPARTMENTAL REGULATIONS

(45 CFR Part 5b)

Routine Uses Applicable To More Than One System of Records Maintained by HEW

(1) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a 'routine use' to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(10)-(99) (reserved)

(100) To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical conditions and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

System Number and System Name

- 09-40-0002—Registry of Deaf-Blind Children—Regional-National. HEW E OE.
- 09-40-0003—Student Participants in Deaf-Blind Programs Under Centers and Services for Deaf-blind Children—HEW E OE.
- 09-40-0004—Parent Participants in Deaf-Blind Programs Provided by Regional Centers for Deaf-Blind Children. HEW E OE.
- 09-40-0005—Participant Waiting List for Projects Serving Severely Handicapped Children and Youth. HEW E OE.
- 09-40-0006—Participants of Projects Serving Severely Handicapped Children and Youth. HEW E OE.
- 09-40-0007—Participants in Workshops Concerning Severely Handicapped Children and Youth. HEW E OE.
- 09-40-0011—Upward Bound Information System. HEW E OE.
- 09-40-0012—Migration and Refugee Assistance Act of 1962—United States Loan Program for Cuban Students. HEW E OE.
- 09-40-0013—National Defense Direct Student Loan Program—Request for Cancellation of Loan on Ground of Permanent and Total Disability. HEW E OE.
- 09-40-0014—Basic Grant Application File. HEW-E OE.
- 09-40-0015—Basic Grant Student Eligibility Report Sub-System. HEW-E OE.
- 09-40-0016—Basic Educational Opportunity Grant Alternate Disbursement System. HEW E OE.
- 09-40-0017—Basic Educational Opportunity Grant Student Validation File. HEW-E OE.
- 09-40-0018—Mutual Educational and Cultural Exchange Act Teacher Exchange Participants and Applicants. HEW E OE.
- 09-40-0019—National Defense Education Act Foreign Language and Area Studies Fellowship Program—Fellows and Alternates. HEW E OE.
- 09-40-0020—Mutual Education and Cultural Exchange Act—Doctoral Dissertation Research Abroad and Faculty Research Abroad. Fellows and Alternates. HEW E OE.
- 09-40-0021—Bureau of Student Financial Assistance Compliance Files. HEW E OE.
- 09-40-0022—Bureau of Student Financial Assistance—Student Complaint Files. HEW E OE.
- 09-40-0023—Guaranteed Student Loan Program—Defaulted Loans Submitted to General Accounting Office. HEW E OE.
- 09-40-0024—Guaranteed Student Loan Program—Loan Application File. HEW E OE.
- 09-40-0025—NDSL Student Loan Files. HEW E OE.
- 09-40-0026—Guaranteed Student Loan Program—Paid Claims File. HEW E OE.
- 09-40-0027—Guaranteed Student Loan Program—Claims and Collection Master File. HEW E.
- 09-40-0028—Guaranteed Student Loan Program—Collection Letters. HEW E.
- 09-40-0029—Guaranteed Student Loan Program—Inactive Loan Control Master File. HEW E.
- 09-40-0030—Guaranteed Student Loan Program—Loan Control Master File. HEW E.
- 09-40-0031—Guaranteed Student Loan Program—Free Claims Assistance. HEW E.
- 09-40-0032—Record of Advances of Funds for Employees Traveling for the Office of Education—(SF-1038, application and account for advance of funds). HEW E.
- 09-40-0033—Office of Education Financial Management Information System. HEW E.
- 09-40-0034—Teacher Corps Application File. HEW E.
- 09-40-0036—Oral History of the Office of Education as Dictated by Former Commissioners of Education. HEW E.
- 09-40-0044—Guaranteed Student Loan Program Insurance

- 09-40-0050—Presidential Scholars Files of Selected Participants. HEW E.
- 09-40-0075—Women in Executive Position in Higher Education.
- 09-40-0077—Institutional Application to Participate in Federal Student Financial Aid Programs Regional Review Panel. HEW E.
- 09-40-0078—Fellowships for Indian Students—Applications and Awards. HEW E.
- 09-40-0079—Potential and Actual Consultant, Field Reader, and Site Visitor Files, Indexes, and Lists HEW E OE.
- 09-40-0080—Training and Development Awards for Vocational Education Personnel Applications and Awards. HEW E Personnel.
- 09-40-0081—Women Administrators in Vocational Education. HEW E.
- 09-40-0082—Health Education Assistance Loan Program (HEAL) Loan Control Master File. HEW E.
- 09-44-0010—Support for Improvement of Postsecondary Education; Field Readers to Review Proposals for FIPSE.

09-40-0002

System name: Registry of Deaf-Blind Children—Regional-National. HEW E OE.

Security classification: None.

System location: See Appendix 1.

Categories of individuals covered by the system: Deaf-Blind children enrolled in Title VI-C supported programs or for whom services are being planned by each state under the 16 regional deaf-blind centers are indicated in the registry by name, or code as determined by state and local regulations. The registry contains information on children by sex, demographic data, and service status of child.

Categories of records in the system: Name, address, service category, i.e., service being provided to the child, fiscal data such as state, local, or federal funding received by each program under the regional deaf-blind center.

Authority for maintenance of the system: 20 U.S.C. 1422.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized staff of regional deaf-blind centers, state and local education agencies and participating agencies for the purpose of planning and developing appropriate programs to meet short and long term needs of deaf-blind children have access to statistical aggregate data only through authorized center staff. Registry data will be coordinated with a joint national registry in cooperation with the Helen Keller National Center for Deaf-Blind Youths and Adults. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card index, paper files in metal file cabinets in each regional center office, computer discs and magnetic tapes under management of one regional center and the National Deaf-Blind Center.

Retrievability: Registries are indexed by name, or code, for each child reported by programs serving deaf-blind children and maintained only by the regional center staff. Statistical aggregate data is available for planning purposes to center staff, regional advisory committee members, state and local education agencies, participating agencies and Helen Keller National Center for Deaf-Blind Youth and Adults.

Retention and disposal: Regional and national registries are maintained throughout educational and rehabilitation lifetime of the individual, or removed upon request by parents or the client.

System manager(s) and address:

Chief, Deaf-Blind Section/BEH
Room 4046 Donohoe Building
400 Maryland Avenue
Washington, D.C. 20202

Notification procedure: System manager for general inquiries; for specific information contact regional center serving state which child is from. See Appendix 1. Provide child's name and/or any I.D. number or code assigned to regional center.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Parents, referrals by states and participating agencies serving deaf-blind children, to the regional deaf-blind center. All data are provided on a voluntary basis.

Systems exempted from certain provisions of the act: None.

09-40-0003

System name: Student Participants in Deaf-Blind Programs under Centers and Services for Deaf-Blind Children—HEW E OE.

Security classification: None.

System location: See Appendix 1.

Categories of individuals covered by the system: General intake data including name and address of child, medical, sociological and educational data relevant to the child in order to determine child's eligibility for services and plan prescribed program to meet child's needs.

Categories of records in the system: Name, address, general intake data as described above and maintained in file record of program in which child is enrolled. All information is provided by consent and knowledge of parents of child.

Authority for maintenance of the system: 20 U.S.C. 1422.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized officials and staff of immediate program in which child is enrolled, Regional Center staff for planning short and long term program alternatives for the child. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files stored in file cabinets of individual programs in which child is enrolled. Only authorized staff have access to records with approval of administrative official of said program.

Retrievability: Files are indexed by child's name and are retrievable only by authorized staff of program in which child is enrolled, and by parent of child.

Safeguards: Files are maintained under lock and key and cannot be removed without approval of authorized official of program in which child is enrolled. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Files are maintained as long as child is enrolled in program. File may follow child, as child moves to another program or state.

System manager(s) and address:

Chief, Deaf-Blind Section/BEH

Room 4046 Donohoe Building

400 Maryland Avenue

Washington, D.C. 20202

Notification procedure: System manager for general inquiries; for specific information see Appendix 1. Provide child's name and/or code number for information regarding specific program child is enrolled in. Regional Center will provide name and address from which parent can request specific information.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Parents of child enrolled in program; all data are provided on a voluntary basis.

09-40-0004

System name: Parent participants in deaf-blind programs provided by Regional Centers for Deaf-Blind Children. HEW E OE.

Security classification: None.

System location: See Appendix 1.

Categories of individuals covered by the system: Parents of deaf-blind children enrolled in programs provided by Regional Centers for Deaf-Blind Children.

Categories of records in the system: Name, address, general intake data as determined by administrative officials of programs in which child is enrolled. All information requested is provided with knowledge and consent of the parent.

Authority for maintenance of the system: 20 U.S.C. 1422.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized officials and staff of immediate program in which child is enrolled to communicate with parents regarding child's progress. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files stored in file cabinets of individual program in which child is enrolled. Only authorized staff have access to records with approval of administrative official of said program.

Retrievability: Files are indexed by child's name and are retrievable only by authorized staff of program in which child is enrolled; and, by parent of child.

Safeguards: Files are maintained under lock and key and cannot be removed without approval of authorized official of program in which child is enrolled. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Files are maintained as long as child is enrolled in program. File may follow child, as child moves to another program or state.

System manager(s) and address:

Chief, Deaf-Blind Section/BEH

Room 4046 Donohoe Building

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Notification procedure: System manager for general inquiries; for specific information see Appendix 1. Provide child's name and/or code number for information regarding specific program child is enrolled in. Regional Center will provide name and address from which parents can request specific information.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Parents of child enrolled in programs all data are provided on a voluntary basis.

**APPENDIX I (for 09-40-0002, 09-40-0003, 09-40-0004)
PROGRAMS FOR DEAF/BLIND CHILDREN AND YOUTH**

ALASKA—Program

Alaska State Center for Deaf-Blind Children
1111 Dowling Road
Anchorage, Alaska 99502

COLORADO—Program

Colorado Department of Education
State Office Building
201 E. Colfax
Denver, Colorado 80203

ILLINOIS—Program

Illinois Office of Education
100 North First Street
Springfield, Illinois 62777

OHIO—Program

Ohio Department of Education
Division of Special Education
933 High Street
Worthington, Ohio 43085

OREGON—Program

University of Oregon
Health, Science & Child Development Center
Room 1250
707 Gaines Road
Portland, Oregon 97210

PENNSYLVANIA—Program

Pennsylvania Department of Education
236 Union Deposit Mall
Harrisburg, Pennsylvania 17111

TEXAS—Program

Texas Education Agency
201 E. 11th Street
Austin, Texas 78701

WASHINGTON—Program

Washington State Office
Old Capitol Building
Olympia, Washington 98504

NEW ENGLAND REGION

Connecticut, Maine, Vermont, Massachusetts, Rhode Island,
New Hampshire
Perkins School for the Blind
175 North Beacon Street
Watertown, Massachusetts 02172

MID-ATLANTIC REGION

New Jersey, New York, Delaware, Puerto Rico, Virgin Islands
New York Institute for Education of the Blind
999 Pelham Parkway
Bronx, New York 10469

SOUTH ATLANTIC REGION

North Carolina, Maryland, Virginia, District of Columbia, West
Virginia, South Carolina

North Carolina Department of Public Instruction
327 Hillsboro Street
Bunn-Hatch Building
Raleigh, North Carolina 27611

SOUTHEAST REGION

Alabama, Georgia, Tennessee, Florida, Mississippi, Kentucky
Alabama Institute for the Deaf-Blind
Box 698
Talladega, Alabama 35160

MIDWEST REGION

Michigan, Indiana, Wisconsin, Minnesota
Michigan Department of Education
5th Floor, Davenport Building
Ottawa & Capitol Streets
Lansing, Michigan 48933

SOUTH CENTRAL REGION

Arkansas, Oklahoma, Louisiana, Missouri, Iowa
South Central Regional
Deaf-Blind Center
2930 Turtle Creek Plaza
Dallas, Texas 75204

MOUNTAIN PLAINS REGION

Nebraska, Utah, North Dakota, Kansas, New Mexico, Wyoming,
South Dakota, Idaho, Montana
165 Cook Street
Suite 304
Denver, Colorado 80206

SOUTHWEST REGION

Arizona, Nevada, California, Guam, Hawaii, Trust Territories
California Department of Education
721 Capitol Mall
Sacramento, California 95814

09-40-0005

System name: Participant waiting list for projects serving severely handicapped children and youth. HEW E OE.

Security classification: None.

System location: See Appendix II.

Categories of individuals covered by the system: Severely handicapped children and youth waiting to be included in services provided by project.

Categories of records in the system: Name, address, and telephone numbers of children and youth; student educational, social, psychological and relevant medical information.

Authority for maintenance of the system: Education of the Handicapped Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To State and local educational agencies for coordinating services to potential participants; to other relevant State and local public and private agencies providing services to such potential participants, for coordination of services; to members of the project advisory boards and parent-teacher type organizations for coordinating and augmenting services to potential participants. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is in folders and stored in file cabinets.

Retrievability: Filed alphabetically by potential student surname. Records are cross indexed with listings of students by county/district. Records are available to project staff involved in planning for services to be provided.

Safeguards: Direct access is restricted to authorized project staff; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Student files are maintained in potential student category until the enrollment of a student, or for two years following possible enrollment age of student. Disposal—records put into trash.

System manager(s) and address:

Chief, Special Needs Section/BEH
Room 3135, Donohoe Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, provide name and possible matriculation date of student. Address is project director as cited in Appendix II.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Names and addresses referred from public and private educational and health agencies. Student information provided through review of records available on potential students from other public and private agencies.

09-40-0006

System name:

Participants of Projects Serving Severely Handicapped Children and Youth. HEW E OE.

Security classification: None.

System location: See Appendix II.

Categories of individuals covered by the system: Severely handicapped children and youth participating in Special Services Branch-funded projects, and the parents of such children and youth.

Categories of records in the system: Name, address, and telephone numbers of children, youth and their parents; student educational, social, psychological and relevant medical information; student attendance, progress and testing records.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To State and local educational agencies for coordinating services to participants; to other relevant state and local public agencies providing services to such participants, for coordination of services to them; to members of project advisory boards and parent-teacher type organizations for coordinating and augmenting services to participants. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in standard file cabinets.

Retrievability: Filed alphabetically by student/parent surname. Records are cross-indexed with listings of students by county/school district. Records are available to project staff involved in the provi-

sion of services to the students/parents. Occasionally, personnel in State and local educational departments may be given some information from the files for the purpose of coordinating and strengthening services to the students/parents.

Safeguards: Direct access is restricted to authorized project staff; access to room in which file cabinets are maintained is limited during non-working hours to those with keys to room. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Student and parent files are maintained for two years following the participation of a student. Disposal—records put into trash.

System manager(s) and address:

Chief, Special Needs Section/BEH
Room 3135
400 Maryland Avenue SW.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and matriculation dates of students. Address is project director as cited in Appendix II.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Names and addresses referred from public and private educational and health agencies. Student information provided through review of records of students previously receiving services from other agencies.

APPENDIX II (for 09-40-0005 and 09-40-0006)

PROGRAMS FOR SEVERELY HANDICAPPED CHILDREN AND YOUTH

CALIFORNIA—Program

California State Department of Education
Diagnostic School for the Neurologically Handicapped
Los Angeles, California 90012

Bay Area Severely Handicapped
2730 Bryant Street
San Francisco, California 94110

HAWAII—Program

University of Hawaii at Manoa
1776 University Avenue
Honolulu, Hawaii 96882

INDIANA—Program

Indiana University Foundation
Developmental Training Center
Bloomington, Indiana 47401

ILLINOIS—Program

Northern Illinois University
Department of Special Education
DeKalb, Illinois 60115

IOWA—Program

The University of Iowa
Division of Child-Psychiatry
Iowa City, Iowa 52240

KANSAS—Program

Parsons Research Center
Box 504
Parsons, Kansas 67357

University of Kansas
Parsons Hospital and Training Center
Parsons, Kansas 67357

MARYLAND—Program
JFK Institute
7071 North Broadway
Baltimore, Maryland 21205

Holly Center
P.O. Box 2358
Snow Hill Road
Salisbury, Maryland 21801

MASSACHUSETTS—Program
Psycho-Educational Center
Beverly School for the Deaf
6 Echo Avenue
Beverly, Massachusetts 01915

MISSOURI—Program
University of Missouri—Columbia
Department of Special Education
515 South 6th Street
Columbia, Missouri 65211

NEW YORK—Program.
New York University
Deafness, Research and Training Center
80 Washington Square East
New York, New York 10003

OHIO—Program
The Children's Hospital of Akron
281 Locust Street
Medical Center
Akron, Ohio 44308

OREGON—Program
Oregon State Teachers Research Division
Oregon State Systems of Higher Education
Monmouth, Oregon 97361

Portland State University
Portland, Oregon 97207

University of Oregon
1591 Willamette
Eugene, Oregon 97403

Teaching Research
345 Monmouth Street
Monmouth, Oregon 97361

PENNSYLVANIA—Program
The Pennsylvania State University
110 Moore Building
University Park, Pennsylvania 16802

The Developmental Center for Autistic Children
120 North 48th Street
Philadelphia, Pennsylvania 19139

Luzerne Intermediate Unit No. 18
Kingston, Pennsylvania 18704

Appalachia Intermediate Unit No. 8
Cresson Center
Cresson, Pennsylvania 16630

RHODE ISLAND—Program
Meeting Street School
667 Waterman Avenue
E. Providence, Rhode Island 02914

TENNESSEE—Program
George Peabody College

Nashville, Tennessee 37203

TEXAS—Program
Capitol Area Rehabilitation Center
919 West 28-1/2 Street
Austin, Texas 78705

MAVI Project
Texas School for Blind
1100 W. 45th Street
Austin, Texas 78756

University of Texas at Dallas
Richardson, Texas 75080

UTAH—Program
Utah State University
Logan, Utah 84322

VIRGINIA—Program
Fairfax County Public Schools
Kilmer Center
Vienna, Virginia 22030

WASHINGTON—Programs
Washington State Department of Public Instruction
Olympia, Washington 98504

University of Washington
Seattle, Washington 98105

WEST VIRGINIA—Program
Shawnee Hills Regional Center
Department of Mental Health
P.O. Box 338
Institute, West Virginia 25112

WISCONSIN—Program
University of Wisconsin
427 Education Building
Department of Behavioral Disabilities
Madison, Wisconsin 53706

09-40-0007

System name: Participants in Workshops Concerning Severely handicapped Children and Youth. HEW E OE.

Security classification: None.

System location:

Room 3135 Donohoe Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Professionals and non-professionals attending BEH sponsored or supported national and regional workshops which deal with severely handicapped children and youth.

Categories of records in the system: Name and address of workshop participants.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To national organizations of professionals working with severely handicapped children and youth for sharing of information and coordination of activities; to State and local educational agencies directing attention to this special field of services. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure

sure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Cabinet storage, paper files.

Retrievability: Indexed and filed by name of conference-workshop location of conference, and topic(s) discussed. Cross-indexed by name of participant in alphabetical listings.

Safeguards: Direct access is restricted to authorized program staff; access to room in which file cabinets are maintained is limited during non-working hours to those with HEW passes to building. Exception: Subject to the disclosure requirements of the Privacy Act.

Retention and disposal: Workshop Participants files are maintained for two years following the completion of a conference/workshop. Disposal—records put into trash.

System manager(s) and address:

Chief, Special Needs Section/BEH
Room 3135 Donohoe Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and address of participant. Address is Program Officer, cited above.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Names and addresses obtained from the participants attending national or regional meetings concerning severely handicapped children and youth.

09-40-0011

System name: Upward Bound Information System. HEW E OE.
Security classification: None.

System location:

Room 3319-C, GSA—Regional Office Building No. 3
7th & D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Current and former participants in the Upward Bound Program.

Categories of records in the system: The student's: name, system identifier number, social security number, sex, date of birth, ethnora- cial background, home address, dates of entry into and departure from Upward Bound, income eligibility data, need for program services, veteran's status, current enrollment status and grade level, high school and expected date of graduation, high school academic program and grade point average at times of and departure from the program, Scholastic Aptitude Test and American College Test Score data (if applicable), reason for leaving program, and postsecondary school enrollment data or reason for not pursuing a postsecondary education.

Authority for maintenance of the system: Title IV-A of the Higher Education Act of 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses set forth in Appendix B to 45 Code of Federal Regulations Part 5b. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape files at OE's contractor site, 5185 MacArthur Blvd., N.W., Washington, D.C. 20016.

Retrievability: Records are accessed primarily by a student number assigned by the Upward Bound computer system. Individual student information is used by program officers for programs monitoring and for verifying student eligibility. Summary statistics, excluding any personal information, are produced to develop profile information regarding program participants for program evaluation, planning, and reporting purposes. Summary statistics concerning the postsecondary placement, enrollment and graduation of former participants are produced for project and program monitoring and evaluation. Exception: Subject to disclosure requirements of Privacy Act.

Safeguards: Only designated personnel are authorized to have access to the files.

Retention and disposal: Current records are maintained indefinitely.

System manager(s) and address:

Chief, Information Systems and Program Support Branch
Division of Student Services and Veterans Programs, BHCE
Room 3514, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and student number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information submitted by the institution's program director who obtains it directly from the individual students. Information regarding the enrollment and graduation of former participants is also obtained from college registrars.

09-40-0012

System name: Migration and Refugee Assistance Act of 1962—United States Loan Program for Cuban Students. HEW E OE.

Security classification: None.

System location:

United States
Office of Education
Region II
New York, New York 10013

Categories of individuals covered by the system: Cuban refugees who have borrowed money under the program to finance their education at eligible institutions of higher education.

Categories of records in the system: (1) All individual student files contain the following personal data: name, address, institution, OE ID No.; sex, date of birth, marital status, dependents; place of birth, immigration status; Social Security number; name and address of parents and relatives; employment record for past five years; educational pursuits, career objective; financial information (relatives); date of separation, total amount borrowed; repayment schedule, collections, deferments, cancellations; (2) Additional information on those who request a postponement of repayment on ground of hardship: place of employment, income; regular expenses, lists of debts giving name and address of creditor, nature of indebtedness, total cost, balance owed, frequency of payment and amount of each payment; (3) Additional information on those who request cancellation of loan on ground of permanent and total disability: nature of disability, date symptoms first appeared; name, address of doctor or hospital providing examination(s) and treatment; history of disability, present condition, diagnosis, treatment, progress, prognosis.

Authority for maintenance of the system: Migration and Refugee Assistance Act of 1962, Section 2, Public Law 87-510 (22 U.S.C. 2601).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contactor providing billing and collection services for purposes of maintaining accurate and current records of participating students; to students who request a record of their account; to Internal Revenue Service and Immigra-

tion and Naturalization Service for purposes of skip-tracing lost borrowers; and to the General Accounting Office or the Department of Justice for legal action against delinquent borrowers and for the routine uses set forth in Appendix B to 45 Code of Federal Regulations. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard-copy filed in a lektriever and standard (locked) filed cabinets.

Retrievability: Records are indexed by individual name and OE identification number. Records are available to DPO staff involved in correspondence with Cuban refugee borrowers, contractor personnel if necessary and members of the Office of General Counsel. Records are available to Public Health Service for Determinations on requests for medical postponement of repayment of loan or permanent and total disability.

Safeguards: Direct access is restricted to authorized program officials and contractor personnel. Physically safeguarded by use of lektriever and standard file cabinets which are locked during non-working hours. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, GSA - Regional Office Building
7th & D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries. Inquiries must contain system identification number and system name; name and address of borrower concerned; and date of previous correspondence, if any.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Original information is submitted by the institution's program director who obtains it directly from the individual students; additional information in the case of requests for hardship postponements or cancellations on the grounds of total and permanent disability is obtained from the student, a doctor and/or a hospital; and if a borrower dies before completion of repayment, proof of death is obtained from appropriate source.

09-40-0013

System name: National Defense Direct Student Loan Program—Request for Cancellation of Loan on Ground of Permanent and Total Disability. HEW E OE.

Security classification: None.

System location:

Room 4636 GSA - Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Student borrowers under the National Defense Direct Student Loan Program requesting loan cancellation because of permanent and total disability.

Categories of records in the system: Information on borrowers requesting disability cancellation of loans includes name, address, Social Security number, medical records, name and address of lending

institution, and other information needed to process such cancellation requests.

Authority for maintenance of the system: Title IV-E of the Higher Education Act of 1965, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses set forth in Appendix B to 45 Code of Federal Regulations Part 5b. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in hard copy form are maintained in standard file cabinets.

Retrievability: Records are accessed by individual's name only. program officials use the records to secure appropriate information on which the Commissioner of Education may make a determination to cancel a National Defense Direct Student Loan for reasons of permanent and total disability. Public Health Service physicians serve as the Program's Medical Review Board to make final determinations as to the validity of claims.

Safeguards: Only program officials are authorized to have access to the files. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: The file is a cumulative one. To date, all individual case records are maintained as initially filed; none have been deleted, removed, or stored elsewhere.

System manager(s) and address:

Director, Division of Program Operations
Room 4636 ROB
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager will respond to inquiries as to whether the system contains an individual's record. Inquiries must contain system identification number and system name; name and address of borrower concerned; and date of previous correspondence if any.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is submitted by the borrower requesting cancellation and by his physician(s), through the lending institution.

09-40-0014

System name: Basic Grant Application File. HEW-E OE.

Security classification: None.

System location:

Room 4920
GSA-Regional Office Building No. 3
Washington, D.C. 20202

Basic Grant Processing Center
Iowa City, Iowa 52240

Categories of individuals covered by the system: Students applying for and receiving Basic Grant assistance.

Categories of records in the system: Name, address, birthdate, Social Security number, and financial data necessary to identify applicants and calculate their eligibility index for Basic Grants.

Authority for maintenance of the system: Title IV-A, of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identifying information and eligibility index of applicants is provided to those institutions of postsecondary education in which the applicants plan to enroll or are enrolled. The same data are provided to State scholarship agencies having agreements with the Commissioner for purposes of coordinating State aid with the Basic Grant Program. On request, information is provided to parents and spouses who provide information on the application form. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. The information may be released for the routine uses in Appendix B to 45 CFR, Part 5b, including contractors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original applications are maintained in standard file cabinets in Basic Grant processing center. Micro-fiche records are maintained in Washington office in standard file cabinets.

Retrievability: Records are indexed by name of applicant with a cross-index file by Social Security number. Records are available to all Division of Basic and State Student Grant staff (including appropriate contract support).

Safeguards: Only designated program officials and contract staff have access to file. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Original records are maintained until end of academic year and then stored in Federal Records Center.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information may be provided directly to the Office of Education by applicants, or, at the request of an applicant, may be provided by the following agencies:

American College Testing Program
Iowa City, Iowa 52240

Pennsylvania Higher Education Assistance Agency
Harrisburg, Pennsylvania 17102

Educational Testing Service
Princeton, New Jersey 08540

Educational Testing Service
Berkeley, California 94701

The purpose of this approach is to permit students to apply for Basic Grant Assistance without being required to submit a Basic Grant Application, but instead to provide the data needed by the

Basic Grant program on other forms by which they apply for State and/or institutional aid.

09-40-0015

System name: Basic Grant Student Eligibility Report Sub-system.
HEW-E OE.

Security classification: None.

System location:

Room 4920
GSA-Regional Office Building No. 3
Washington, D.C. 20202

Categories of individuals covered by the system: Basic Grant Recipients.

Categories of records in the system: Name, address, birthdate, Social Security number, financial data and status of award for Basic Grant recipients.

Authority for maintenance of the system: Title IV-A, of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare annual student validation roster for submission to schools in order to verify payments made to students. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original Student Eligibility Reports and hard copy are maintained in standard file cabinet.

Retrievability: Records are indexed by institution and by name and Social Security number within school. Records are used to verify and reconcile institutional expenditures.

Safeguards: Direct access is restricted to authorized staff. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Original copies are maintained until fiscal year funds are closed out and then stored at Federal Records Center.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Student Eligibility Report.

09-40-0016

System name: Basic Educational Opportunity Grant Alternate Disbursement System. HEW E OE.

Security classification: None.

System location:

Room 4920
GSA-Regional Office Building No. 3
Washington, D.C. 20202

Categories of individuals covered by the system: Eligible applicants who are paid directly by Federal government since they are enrolled in eligible non-participating schools.

Categories of records in the system: Name, address, birthdate, Social Security number, financial data, and enrollment status of Basic Grant recipients paid through this system.

Authority for maintenance of the system: Title IV-A, of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses set forth in Appendix B to 45 Code of Federal Regulations Part 5b. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in standard file cabinet.

Retrievability: Records are indexed by name of applicant. Records are available to Division of Program Operations staff.

Safeguards: Direct access is restricted to authorized staff.

Retention and disposal: Original copies are maintained until fiscal year funds are closed out and then stored at Federal Records Center.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, ROB-3
400 Maryland Avenue SW.
Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Student Eligibility Reports and Requests for Payment from applicants.

09-40-0017

System name: Student Financial Assistance Validation File. HEW E OE.

Security classification: None.

System location:

Room 4669 Regional Office Bldg. No.—3
Washington, D.C. 20202

Categories of individuals covered by the system: Student Financial Assistance recipients.

Categories of records in the system: Student Financial Assistance application information.

Authority for maintenance of the system: Title IV-A, of the Higher Education Act of 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses, set forth in Appendix B to 45 Code of Federal Regulations Part 5b. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official

capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in locked file cabinets.

Retrievability: Records are indexed by name and are available only to specifically designated staff involved in validation process.

Safeguards: Access is restricted to authorized staff only and files are maintained in locked cabinet. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained until resolved and then stored in Federal Records Center.

System manager(s) and address:

Director, Division of Certification and Program Review
Room 4669, ROB-3
7th and D St. SW
Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Application data, incoming correspondence and related material, obtained during course of investigation.

09-40-0018

System name: Mutual Educational and Cultural Exchange Act Teacher Exchange Participants and Applicants. HEW E OE.

Security classification: None.

System location:

Room 3069, Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Individuals who have been selected to teach abroad under the Teacher Exchange Program. Individuals who have applied to teach abroad under the Teacher Exchange Program.

Categories of records in the system: Name, address, telephone number, date and place of birth, citizenship, dependents, educational background, employment background, languages, membership in clubs and organizations of the individuals, personal references including reports of interviews, administrative approval, and language proficiency when required.

Authority for maintenance of the system: The Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451-2458).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses set forth in Appendix B to 45 Code of Federal Regulations Part 5b. U.S. binational commissions, the Board of Foreign Scholarships and concerned country educational authorities to determine suitability of candidate for teaching position in their country. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has

agreed to represent such employee, the Department may disclose such records as it deems desirable to necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: Records are accessed by individual names only by authorized OE staff for the purposes of determining eligibility for teacher exchange opportunities, for selection of teacher exchange participants, and to develop profile information regarding recipients of grants for program evaluation, planning, and reporting purposes.

Safeguards: Direct access is restricted to authorized OE staff. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained for three years.

System manager(s) and address:

Division Director, Division of International Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is submitted by the individual on approved application forms.

09-40-0019

System name: National Defense Education Act Foreign Language and Area Studies Fellowship Program—Fellows and Alternates. HEW E OE.

Security classification: None.

System location:

7th and D Streets., SW., Room 3727
Washington, D.C. 20202

Categories of individuals covered by the system: Individuals who have been nominated by their institution of higher education to be a recipient or alternate recipient of a fellowship.

Categories of records in the system: Name, address, telephone number citizenship, career goal, language competency, educational background, oath or affirmation of allegiance, previous awards held and statement of crimes on all individuals.

Authority for maintenance of the system: National Defense Education Act of 1958, as amended, Title VI, Section 601(b); Title X, Section 1001(f)(1),(2)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses set forth in Appendix B to 45 Code of Federal Regulations part 5b. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: Records are accessed by individual names or by educational institution only by authorized OE staff members for the purposes of determining eligibility for fellowships, for establishing allowances for stipends and dependents, and for developing profile information regarding recipients of fellowships for program evaluation, planning, and reporting purposes.

Safeguards: Direct access is restricted to authorized OE staff. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained three years.

System manager(s) and address:

Division Director, Division of International Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is submitted by the individual on approved application forms.

09-40-0020

System name: Mutual Educational and Cultural Exchange Act—Doctoral Dissertation Research Abroad and Faculty Research Abroad, Fellows and Alternates. HEW E OE.

Security classification: None.

System location:

7th and D Streets SW., Room 3727
Washington, D.C. 20202

Categories of individuals covered by the system: Individuals who have been selected to be a recipient or alternate recipient of a fellowship.

Categories of records in the system: Name, address, educational institution, date and place of birth, veterans status, educational background, health statement, language references, personal references for all individuals, project descriptions. In addition, the annualized salary figure for all faculty fellows and alternates.

Authority for maintenance of the system: The Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451-2458).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the routine uses set forth in Appendix B to 45 Code of Federal Regulations Part 5b, U.S. embassies, binational commissions, the board of foreign scholarships, and in some cases foreign governments, and to Field Readers, to determine eligibility and suitability to undertake research abroad. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: Records are accessed by individual names and educational institution only by authorized OE staff and Field Readers for the purposes of determining eligibility and suitability to undertake research abroad, establishing allowances for travel, maintenance, and dependents, and for developing profile information regarding recipients of fellowships for program evaluation, planning, and reporting purposes.

Safeguards: Direct access is restricted to authorized OE staff. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained three years.

System manager(s) and address:

Division Director, Division of International Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is submitted by the individual on approved application forms.

09-40-0021

System name: Bureau of Student Financial Assistance—Compliance Files. HEW E OE.

Security classification: None.

System location:

Room 513, Reporters Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Applicants for, and recipients of, Title IV student financial assistance; personnel of BSFA; officials, employees or agents of regional offices, participating schools, and lenders, who are involved in complaints or allegations of program irregularities, noncompliance with regulations, misconduct, fraud or abuse.

Categories of records in the system: Contains written documentation of the alleged or proven act(s) of misconduct including name, address, social security and claim numbers (if appropriate) of the complainant, name of the student borrower, school or lender, and the results of investigative action, prosecution or non-prosecution intent and results.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV, as amended (20 U.S.C. 1070 et seq.) and title VII, Part C, Subpart I of the Public Health Service Act (42 USC 294-2941)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To schools and lenders for investigative activities. For uses 1, 3, 4, 5, 6, 8 and 103 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: The records are filed and indexed alphabetically by name and address. Intradepartmental users of these records are the HEW Office of General Counsel (OGC), HEW Office of Inspector General (OIG), and the OE Regional Offices (OERO). OGC usage is for the purpose of providing background data in obtaining legal rulings and opinions. OIS usage is for the purpose of obtaining documentation necessary for the investigation. OERO usage is for the purpose of coordinating actions between various regional offices.

Safeguards: Direct access is restricted to authorized Division of Compliance staff; file cabinets are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained three years; compliance and investigative records are maintained five years past date of case closing. Destroyed by maceration.

System manager(s) and address:

Director, Division of Compliance
Room 513, RPT
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for compliance/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager

and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

Systems exempted from certain provisions of the act: None.

09-40-0022

System name: Bureau of Student Financial Assistance—Student Complaint Files. HEW E.

Security classification: None.

System location:

Room 513, Reporters Building
300 7th Street, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Applicants for, and recipients of, Title IV student financial assistance who have made complaints or allegations of irregularities by schools or lenders, or their officials, employees, or agents.

Categories of records in the system: Contains written documentation of student complaints including name, address, social security and claim numbers (if appropriate) of the complainant, name of school and lender.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4) and Title VII, Part C, Subpart I of the Public Health Service Act (42 USC 294-2941).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to relocate a delinquent or defaulted borrower. To schools and lenders for investigative activities. For uses 1,3,5,6,8 and 103 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Regulations (45 Code of Federal Regulations Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employer in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets.

Retrievability: The records are filed and indexed alphabetically by name and address. Authorized intradepartmental employees review action taken.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained three years; complaint and investigative records are maintained five years past date of case closing. Destroyed by maceration.

System manager(s) and address:

Director, Division of Compliance
Room 513, Reporters Building
300 7th Street, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for compliant/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system or records, he or she should contact the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Incoming correspondence, responses and material obtained during course of any investigation.

09-40-0023

System name: GSLP Defaulted Loans Submitted to General Accounting Office. HEW E.

Security classification: None.

System location:

Room 4636, GSA/Regional Office Building
7th and D Street, S.W.
Washington, D.C. 20202

Room 5471, 441 G Street, N.W.
Washington, D.C. 20548

Categories of individuals covered by the system: Student borrowers for whom defaulted claims have been paid on Federal Insured Student Loans and subsequently submitted to General Accounting Office (GAO) for further action.

Categories of records in the system: Contains borrower's name demographic background, educational and lender information, family financial information credit data, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relative, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to enforce the conditions or terms of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. For uses 1, 3, 4, 5, 6, 8, and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the Claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on microfilm filed in standard file cabinets.

Retrievability: Data indexed by name and date. Data utilized by collection staff to compile GSLP statistics and management reports; to implement write-off of files transferred to GAO; to provide additional information in response to GAO/Justice Department inquiries.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Held indefinitely.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence if known; for defaulted loans submitted to General Accounting Office, name, social security number and any I.D. number assigned. Address is same as above.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence and reports from borrowers and their families, lenders, schools, employers, credit agencies, and government agencies.

Systems exempted from certain provisions of the act: None.

09-40-0024

System name: Guaranteed Student Loan Program—Loan Application File. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

5700 Thurston Ave.
Virginia Beach, VA 23455

Categories of individuals covered by the system: Student borrowers who have applied for educational loans under the Guaranteed Student Loan Program.

Categories of records in the system: Contains written documentation of application including demographic background, loan and educational status, name of guarantor and lender and data on credit and family.

Authority for maintenance of the system: Higher Education Act of 1965, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to permit servicing or collecting of the loan, to enforce the conditions or terms of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for updating computer records and correction of errors. For uses 1, 3, 5, 6, 8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy or microfilm and are filed in standard records cartons.

Retrievability: Records are indexed by borrower's name. Used by GLSP personnel either to retrieve needed information on an individ-

ual, a school, a lender or as part of a random statistical sampling or review.

Safeguards: Direct access is restricted to authorized GLSP staff and contract employees; stored in records cartons in rooms locked during non-business hours. Exceptions: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records of individual loans are destroyed three years after final repayment of loan. Destroyed by maceration.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, GSA-Regional Office Building
7th & D Streets, S.W.
Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system of records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Incoming application forms from guaranteed agencies and private non-profit profit agencies approved by the Commissioner. Information supplied by student, student's family and lender.

Systems exempted from certain provisions of the act: None.

09-40-0025

System name: NDSL Student Loan Files. HEW E.

Security classification: None.

System location:

Room 4613, Regional Office Building 03
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Student borrowers under the National Direct (formerly Defense) Student Loan Program whose notes have been referred to the U.S. Government because of loan default or school closing.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, borrower credit and financial data, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-E as amended (20 USC 1087aa-ff).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1, 3, 4, 5, 6, 8, and 9 in Appendix B of the Departmental Regulations (45 CFR 5b). To various billing services under contract with OE for continued servicing of loans from institutions no longer in operation. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy and microfilm filed in standard file cabinets.

Retrievability: Data indexed by name. Data utilized to compile NDSL statistics and management reports for NDSL staff; and used by the collection staff to collect monies owed to U.S. Government.

Safeguards: Direct access is restricted to authorized O.E. staff. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Hard copies destroyed by maceration after microfilming; microfilm maintained three years after repayment or cancellation of loan, and destroyed by chemical processing.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, Regional Office Building 3
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Information is obtained from applications, correspondence and reports submitted by borrowers and their families, institutions of postsecondary education, employers, credit agencies, and governmental agencies.

09-40-0026

System name: Guaranteed Student Loan Program—Paid Claims File. HEW E.

Security classification: None.

System location:

Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Student borrowers for whom claims have been paid on Federal Insured Student Loans.

Categories of records in the system: Contains borrower's name, demographic background, educational and lender information, family financial information, credit data, loan data, legal documents, medical reports, and collection history.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to state guarantee agencies requesting student borrower information; and for uses 1, 3, 4, 5, 6, 8, and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in standard file cabinets and lektriever.

Retrievability: Data indexed by name. Claims classified into special categories: bankruptcies; death; disabilities; repurchases by lenders; paid-in-full; and defaulted claims. Defaulted claims are separated into sub-categories: skip files, suspension files, foreign files, forbearance files, and prison files. Data utilized to compile GLSP statistics and management reports for system manager; used by collection staff to

collect monies owed to U.S. Government and to perform post-audits on paid claims; to provide data to the Office of Inspector General in cases of possible fraud and irregularities; and to provide data to compliance staff associated with violation of the laws.

Safeguards: Direct access is restricted to authorized GSLP staff; file cabinets and lektrierer are locked. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records destroyed by maceration after microfilming; microfilm maintained three years after repayment or cancellation of loan, and destroyed by chemical processing.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Systems manager; for general inquiries, name and date of previous correspondence, if known; for paid claim, name, social security number and any I.D. number assigned. Address is same as above.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence and reports from borrowers and their families, acquaintances, lenders, schools, employers, credit agencies, and governmental agencies.

Systems exempted from certain provisions of the act: None.

09-40-0027

System name: Guaranteed Student Loan Program—Claims and Collections Master File. HEW E.

Security classification: None.

System location:

7980 Gallows Court
Vienna, Virginia 22180

Categories of individuals covered by the system: Defaulted student borrowers for whom the claims have been paid on Guaranteed Student Loans.

Categories of records in the system: Contains names, social security numbers, addresses of defaulted borrowers. Contains claim numbers, amounts of claim to include interest and lender/school identifications.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update files and correct errors; to state guarantee agencies requesting student borrower information;

and for uses 1, 3, 4, 5, 6, 8, and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide GSLP staff with statistical and managerial reports; to provide the DHEW-Office of General Counsel and the DHEW-Office of Inspector General with data in possible cases of fraud or irregularities. Other uses by GSLP staff are to identify student borrowers indebted to the U.S. Government who have defaulted on their student loan; reimburse lending institution for claim against a guaranteed student loan; generate and maintain financial records for OE Finance Division; maintain accounting records of collection activity for borrowers repaying loans to U.S. Government; generate managerial and statistical reports; determine a borrower's default status; verify payments applied toward defaulted student loans; update file and correct errors.

Safeguards: Direct access is restricted to authorized GSLP staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, GSA-Regional Office Building
7th and D Street, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name, social security number and date of birth (at the above address).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

09-40-0028

System name: Guaranteed Student Loan Program—Collection Letters. HEW E.

Security classification: None.

System location:

7980 Gallows Court
Vienna, Virginia 22180

Categories of individuals covered by the system: Defaulted student borrowers for whom claims have been paid on Guaranteed Student Loans.

Categories of records in the system: Contains names, social security numbers, addresses of defaulted borrowers. Contains claim numbers, amounts of claim to include interest and lender/school identifications.

Authority for maintenance of the system: Higher Education Act of 1975, Title IV-B, as amended, (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be

furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible re-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct errors; to state guarantee agencies requesting student borrower information; and for uses 1, 3, 4, 5, 6, 8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide GSLP staff with statistical and managerial reports; to provide the DHEW—Office of General Counsel and the DHEW—Office of Inspector General with data in possible cases of fraud or irregularities. Other uses by GSLP staff are to identify defaulted claims in delinquent status; to contact defaulted borrowers to encourage repayment of claim disbursed by U.S. Government; to take follow-up action on delinquent defaulted accounts; to update records and correct errors.

Safeguards: Direct access is restricted to authorized GSLP staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Division of Program Operation
Room 4636, GSA-Regional Office Building
7th and D Streets SW.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name, date of birth and social security number (at the above address).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, acquaintances, lenders,

schools, medical reports, employers, credit agencies, and federal and state governmental agencies.

Systems exempted from certain provisions of the act: None.

09-40-0029

System name: Guaranteed Student Loan Program—Inactive Loan Control Master File. HEW E.

Security classification: None.

System location:

7980 Gallows Court
Vienna, Virginia 22180

Categories of individuals covered by the system: Students having participated in Guaranteed Student Loan Program and purged from primary Loan Control Master File.

Categories of records in the system: Contains name, social security number, demographic background, educational status, loan status, and family financial information of individual for whom the record was maintained.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended, (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus or collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefit, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to requesting student borrower information; and for uses 1, 3, 4, 5, 6, 8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security number. Data are utilized to provide GSLP staff with statistical and managerial reports. Other uses by GSLP staff are to obtain loan data on former student loan borrowers; update records and correct errors.

Safeguards: Direct access is restricted to authorized GSLP staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name, date of birth, and social security number (at the above address).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, acquaintances, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

09-40-0030

System name: Guaranteed Student Loan Program—Loan Control Master File. HEW E.

Security classification: None.

System location:

7980 Gallows Court

Vienna, Virginia 22180

Categories of individuals covered by the system: Students who have applied for guaranteed student loans, or received, educational loans under the provisions of the Guaranteed Student Loan Program.

Categories of records in the system: Contains name, social security number, demographic background, educational status, loan status and family financial information of individual for whom the record is maintained. Contains lender and school identification.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To schools and lenders for loan status information and record reconciliation; to borrowers and applicants for status of loan applications; to contractors for updating program records and processing documents; to State Guarantee Agencies for loan status information. To an educational agency or lending institution against which a complaint has been made; and for uses 1, 3, 4, 5, 6, 8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named location.

Retrievability: The file is indexed by social security number. Data are utilized to provide GSLP staff with statistical and managerial reports. Other uses by GSLP staff are to identify students participating in the Guaranteed Student Loan Program; determine eligibility of loan application; reflect eligibility for interest benefits; determine loan status of borrower; compute insurance premium for Federally In-

sured Loans; compile and generate managerial and statistical reports; research records for inquiry responses; reflect interest rates for individual loans; update file and correct errors.

Safeguards: Direct access is restricted to authorized GSLP staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Division of Program Operations

Room 4636, GSA-Regional Office Building

7th and D Streets, S.W.

Washington, D.C. 20202

Notification procedure: If an individual wishes to determine whether a record exists for him or her in the system or records, the individual should provide to the system manager his or her name and social security number.

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

09-40-0031

System name: Guaranteed Student Loan Program—Pre Claims Assistance. HEW E.

Security classification: None.

System location:

903 S. Hyland St.

Arlington, Va. 22204

7980 Gallows Court

Vienna, Virginia 22180

Categories of individuals covered by the system: Student borrowers under the GSLP whose lending institutions have reported them to be delinquent in their repayments, or of unknown present addresses.

Categories of records in the system: Contains name of student, social security number, address, amount of outstanding loans including interest. Name and address of parent or nearest relative, record actions taken.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 U.S.C. 1071-12087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To contractors for issuance of collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to Internal Revenue Service for last known address; to Postal Service for last known address; to General Accounting Office for possible pre-litigation collection service and audit; to Department of Justice for possible legal action; to Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureau of Vital Statistics for verification of death; to mortgage companies for credit checks; to educational agencies or institutions against which a complaint has been made; to other lenders in the program making inquiries about the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to the State Department for last known address abroad; to contractors to update records and correct

errors; to State Guarantee Agencies requesting student borrower information; and for uses 1, 3, 4, 5, 6, 8 and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The file is maintained on magnetic tape/disk packs in a library room area at the above named locations.

Retrievability: The file is indexed by social security or other I.D. number. Data are utilized to provide GSLP staff with statistical and managerial reports; to provide the DHEW—Office of Inspector General with data in possible cases of fraud or irregularities. Other uses by GSLP staff are to identify delinquent borrowers; locate and contact delinquent borrowers; maintain current address of delinquent borrowers; assist lending institutions in having delinquent borrowers commence repayment of educational loan; update records and correct errors.

Safeguards: Direct access is restricted to authorized GSLP staff or contracted personnel.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Division of Program Operations
Room 4636, GSA-Regional Office Building
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager for general inquiries supplying name with date of birth and social security number (at the above address).

Record access procedures: If an individual wishes to gain access to a record in this system, he or she should contact the system manager and provide information as described in the notification procedure above.

Contesting record procedures: If an individual wishes to change the content of a record in the system of records, he or she should contact the system manager with the information described above in the notification procedure, identify the specific items to be changed, and provide a written justification for the change.

Record source categories: Information is obtained from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State governmental agencies.

Systems exempted from certain provisions of the act: None.

09-40-0032

System name: Record of advances of funds for employees traveling for the Office of Education—(SF-1038, Application and Account for Advance of Funds). HEW E.

Security classification: None.

System location:

Room 3105, Federal Office Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Employees of the Office of Education (including consultants) who have requested advances of funds for travel on official business.

Categories of records in the system: Name, social security number, home and/or business address, amount of travel advance requested, amount actually paid, and unliquidated balance, if any

Authority for maintenance of the system: 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For audit by U.S. General Accounting Office (GAO). Disclosure may be made to a Congressional

office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in card format and are stored in file cabinets.

Retrievability: Records are indexed by name of individual requesting advance of funds. Records are available to employees of the Finance Division, Office of Education in performance of accounting functions and to the individual to whom funds were advanced.

Safeguards: Direct access is restricted to authorized agency staff in performance of official duties. Maintained in locked file cabinets. **Exception:** Subject to disclosure requirements of the Privacy Act.

Retention and disposal: Retained four years or until audit by the U.S. General Accounting Office, whichever is earlier. Disposed of by maceration.

System manager(s) and address:

Director, Finance Division
U.S. Office of Education
Room 3105, Federal Office Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System Manager (see above) will respond to inquiries.

Record access procedures: Same as above

Contesting record procedures: Contact system manager, above.

Record source categories: Travelers who complete Form OE 1038. (see system name, above).

Systems exempted from certain provisions of the act: None.

09-40-0033

System name: Office of Education Financial Management Information System. HEW E.

Security classification: None.

System location:

Room 3105, Federal Office Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Office of Education employees, consultants contractors, advisory committee members and other individuals performing personal services for the Office.

Categories of records in the system: Name, address, social security number of individual and employer identification number of companies; indicating the cost of service(s) provided.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on magnetic tape and microfilm and stored in file cabinets.

Retrievability: Records are indexed by social security and employer identification number. Records are available to employees of the Finance Division, Office of Education in performance of accounting-related functions.

Safeguards: Direct access restricted to authorized agency staff in performance of official duties. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: File constantly updated. Records maintained for ten years.

System manager(s) and address:

Director, Finance Division
U.S. Office of Education
Room 3105, Federal Office Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System Manager (see above) will respond to inquiries.

Record access procedures: Same as above.

Contesting record procedures: Contact System Manager, above.

Record source categories: Record source categories: Office of Education employees and others, including consultants, performing personal services for the Office.

Systems exempted from certain provisions of the act: None.

09-40-0034

System name: Teacher Corps Application File, HEW E.

Security classification: None.

System location:

Western Teacher Corps RCTR Center
Benney Building, Suite 330
1042 West 36th Place
Los Angeles, California 90007

Midwestern RCTR Center
Wayne State University
4866 Third Avenue
Detroit, Michigan 48202

Southeastern RCTR Center
University of Georgia
227 South Milledge Avenue, Room 209
Athens, Georgia 30601

Eastern RCTR Center
Howard University
1025 Vermont Avenue, N.W.
Suite 1005 Global Building
Washington, D.C. 20005

Categories of individuals covered by the system: People who submit applications to be members (interns and team leaders) of Teacher Corps projects.

Categories of records in the system: An application form containing basic demographic data, education and employment histories and motivation statements, and any other information provided by the applicant is filed alphabetically by name in the Center to which it is sent by the applicant.

Authority for maintenance of the system: 20 U.S. Code, Sections 1101 through 1107a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Teacher Corps project grantees who are considering the applicants for selection as interns or team leaders. To State departments of education for verification of eligibility of the applicant for teacher certification programs. When requested by applicant, to potential employers or managers of other teacher training or social service programs. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

ment or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The profile sheets are kept in a file cabinet.

Retrievability: Files are established when each application is received and placed alphabetically in file cabinets. Recruitment Center staff analyze the data on the application forms, prepare a summary sheet, and either notify applicant of ineligibility for Teacher Corps membership, or refer them to the local selection panels for which they would qualify. These Center staff refer to these files in answering subsequent inquiries concerning application status from Teacher Corps projects and from applicants.

Safeguards: Direct access is limited to Recruitment and Technical Resources Center staff and to national office Teacher Corps staff. Access to room in which file cabinet is maintained is limited during non-working hours to those with keys to the room. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Applications are held for one year, being disposed of when selections are completed annually by all new Teacher Corps projects. Disposal is through regular refuse services.

System manager(s) and address:

Chief, Management Branch, Teacher Corps
U.S. Office of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries, or applicants can write directly to the Center to which the application was originally sent. Requesters should list their name and address and the date of their application for membership in Teacher Corps.

Record access procedures: See above.

Contesting record procedures: See above.

Record source categories: All information on the application form is provided by the applicant.

Systems exempted from certain provisions of the act: None.

09-40-0036

System name: Oral History of the Office of Education as dictated by former Commissioners of Education. HEW E.

Security classification: None.

System location:

400 Maryland Avenue, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Living former U.S. Commissioners of Education.

Categories of records in the system: Information about the individual's life as commissioner and about OE during his term of office.

Authority for maintenance of the system: 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To those involved in publishing (including the Government Printing Office) for production of final document; to the Department of Justice for Freedom of Information Act consultation; under subpoena by any administrative agency. To answer inquiries from the National Archives, and from government libraries. For uses 1, 2, 3, 5, 6, 8, 9, 101, 102 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations Part 5b). Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on paper and on magnetic tape and are filed in a standard file cabinet.

Retrievability: By name by the system manager or staff for the purpose of obtaining the approval of former commissioners; after approval and release by former commissioners the records may be retrieved as historical documents by system manager or staff.

Safeguards: Records may be placed in the National Archives under seal upon threat of disclosure. Exceptions: Subject to disclosure requirements of Privacy Act.

Retention and disposal: All background material will be disposed of 5 years after publication of the final document. The records may be destroyed by maceration, burning, or other appropriate means.

System manager(s) and address:

Assistant Commissioner for Legislation
Office of Legislation
400 Maryland Avenue SW, Room 4151
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries. Individual must provide system I.D. number and name.

Record access procedures: Contact system manager.

Contesting record procedures: Same as above.

Record source categories: Information provided by the individual himself and records and documents provided by him during interviews. Information is transcribed as approved by individual.

Systems exempted from certain provisions of the act: None.

09-40-0044

System name: Guaranteed Student Loan Program. Insurance Claim File HEW E OE.

Security classification: None.

System location: See Appendix EOE 2.

Categories of individuals covered by the system: GSLP student loan borrowers on whose accounts the Federal Government has been requested to pay a claim by lenders, because of default, bankruptcy, death or disability.

Categories of records in the system: Loan history, including name, social security number, and last known address of borrower, date borrower ceased at least half-time study, reason for claim, date first payment due, date and amount of loan, and amount of claim. Loan documents, including promissory notes, disclosure statement, repayment agreements, payment history, student loan application and copies of correspondence between lender and borrower.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 USC 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To the Department of Justice for possible legal action, to the Department of Justice for Freedom of Information Act consultation; and to General Accounting Office auditors checking program operation. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper files, in file cabinets.

Retrievability: By name and batch number the files are used by the Claims Examiners to provide documentation on insurance claims by lenders on the Federal Government. The copies are retained for recordkeeping and cross-referencing purposes. Records are available to regional collection staff to aid them in locating borrowers and setting up repayment schedules. They are also available to HEW auditors checking program operation.

Safeguards: Records are stored in locked file cabinets or in locked rooms after working hours with access by authorized agency personnel. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: Claim files are retained pending payment of claims which usually takes 60 to 90 days. When paid, the files are transferred to the collection staff in the appropriate regional office, depending on the present location of the borrower. The alphabetical and batch files are retained for five (5) years beyond payment of claim. Disposal by maceration.

System manager(s) and address: See Appendix EOE 2.

Notification procedure: See System manager; address as indicated to Appendix EOE 2, inquiries should be addressed to the System Manager in the region in which the inquirer resides (e.g., Florida resident will address Region IV System Manager). Provide System ID number and System name. Also provide the name, address and social security number of the individual inquiring about his/her record.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Participating lenders and individual borrowers.

Systems exempted from certain provisions of the act: None.

APPENDIX E OE 2

Guaranteed Student Loan Program, Claim and Collection
Record Location and System Manager

Region I: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
P.O. Box 8370
Boston, Massachusetts 02114

Region II: New Jersey, New York, Puerto Rico, Virgin Islands

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
26 Federal Plaza Room 406
New York, New York 10007

Region III: Delaware, Maryland, Pennsylvania, Virginia, Washington, D.C., West Virginia

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
3535 Market Street Room 16200
Philadelphia, Pennsylvania 19104

Region IV: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
101 Marietta Tower, Third Floor
Atlanta, Georgia 30323

Region V: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
300 South Wacker Drive, 32nd Floor
Chicago, Illinois 60606

Region VI: Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
1200 Main Tower Building
Dallas, Texas 75202

Region VII: Iowa, Kansas, Missouri, Nebraska

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
Federal Office Building, Room 360
601 East 12th Street
Kansas City, Missouri 64106

Region VIII: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
11037 Federal Office Bldg.,
19th and Stout Streets
Denver, Colorado 80294

Region IX: Arizona, California, Hawaii, Nevada, American Samoa, Trust Territory of the Pacific, Guam, Wake Island

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW, Room 240
50 United Nations Plaza, Rm 234
San Francisco, California 94102

Region X: Alaska, Idaho, Oregon, Washington

Assistant Regional Administrator
Division of Claims and Collections
Bureau of Student Financial Assistance
Office of Education/DHEW
Arcade Plaza Building, Room 515
1321 Second Avenue
Seattle, Washington 98101

09-40-0045

System name: Guaranteed Student Loan Program Collection Files.
HEW E.

Security classification: None.

System location: See appendix EOE 2.

Categories of individuals covered by the system: Defaulted borrowers under the Guaranteed Student Loan Program by regional office.

Categories of records in the system: Name, address, social security number, postsecondary school, student application, collection and repayment history with both lender and Office of Education, skip tracing information, borrower's financial ability and willingness to pay, claim for insurance reimbursement, disclosures, forbearance and deferment documents, promissory notes; correspondence between lender and borrower, borrower and OE, borrower and school, OE and school, and between OE and relatives; collector's notes, Depart-

ment of Motor Vehicles reports, IRS listing of last known address, and reports of credit investigations.

Authority for maintenance of the system: Higher Education Act of 1965, Title IV-B, as amended (20 USC 1071-1087-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be furnished to Federal, State, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions to credit bureaus and collection agencies, and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits to enforce the conditions or terms of the loan, to permit servicing or collecting of the loan, to counsel the borrower in repayment efforts to investigate possible fraud and verify compliance with program regulations, or to locate a delinquent or defaulted borrower. To computer contractors for issuance of computerized collection letters; to credit company contractors for skip tracing, in-file history information, assets and ability to pay; to U.S. Internal Revenue Service for last known address; to U.S. Postal Service for last known address; to U.S. General Accounting Office for possible pre-litigation collection service; to U.S. Department of Justice for possible legal action; to U.S. Federal Bureau of Investigation in performance of investigation into possible fraud cases; to State Department of Motor Vehicles for last known address; to State Bureaus of Vital Statistics for verification of death; to mortgage companies for credit checks, to educational agencies or institutions against which a complaint has been made; to other guaranteed student loan lenders making inquiries concerning the defaulted students who may have been denied additional loans; to other Federal agencies requesting information as to the repayment history of the defaulted account; to General Accounting Office for discharge of authorized functions and routine uses as set forth in Appendix B 1, 3, 4, 5, 6, 7, 8, 9, and 103, 45 Code of Federal Regulations, Part 5 B. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, stored in file cabinets.

Retrievability: By name. Records are available to GSLP staff for administration of collection responsibilities, used as feeder information in skip tracing, available to HEW Auditors for possible audit, to HEW Counsels on resolving legal questions, to HEW Investigators for investigation of fraud possibilities.

Safeguards: Records are stored in locked file cabinets or in locked rooms after working hours with access by authorized agency personnel. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Records are maintained five (5) years beyond the closing of the case. Disposal by maceration.

System manager(s) and address: See Appendix EOE 2.

Notification procedure: See System manager; address as indicated in Appendix EOE 2 inquires should be addressed to the System Manager in the region in which the inquirer resides (e.g. Florida resident will address Region IV System Manager). Provided System ID number and System name. Also provide the name, address and social security number of the individual inquiring about his/her record.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: From the original lender, student loan application, school attended and the student borrower.

Systems exempted from certain provisions of the act: None.

09-40-0048

System name: Participants in ESEA Title VII Bilingual Education Program National Impact Evaluation of Elementary Programs—**HEW/E.**

Security classification: None.

System location:

P.O. Box 1113
1791 Arastradero Road
Palo Alto, California 94302

Categories of individuals covered by the system: Elementary school students in grades 2, 3, 4, 5, and 6 during school year 1975-76 (and possibly 1976-77) in schools participating in the evaluation of ESEA Title VII bilingual elementary programs.

Categories of records in the system: Name, school, grade, name of teacher, school district, scores of pre- and/or post tests in English language, Spanish language, and mathematics, and attitudes/motivation.

Authority for maintenance of the system: Section 417 of the General Education Provisions Act as amended (20 USC 1226b) and Section 731(c) of the Bilingual Education Act (20 USC 880 b-10c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use 9 in Appendix B of the Departmental Regulations (45 CFR 5b). Student achievement test scores to appropriate school districts for their own internal project evaluation. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on paper and on magnetic tape and are stored in locked metal filing cabinets.

Retrievability: Student name and ID number are kept in one file. In a separate file, the data base itself is kept; data are indexed by Student ID number only. These data contain further identifiers based on district, school building, grade and classroom. A separate file will indicate what kinds of data were collected on the total student population at different points in time. The data base file consists of computer tapes. Test instruments will be kept stored separately, indexed by type of data, district, school building, grade and classroom. Retrieval by Contractor for purposes of analysis and further data collection. Retrieval may be done by Contractor for System Manager for purposes consistent with this evaluation and the Privacy Act.

Safeguards: The student name and ID number "link" file is kept separately from the data base. Access to this file, which is kept under lock, is restricted to the data base manager and to senior project staff, i.e., the project director and the principal investigator. The "link" file will be utilized only during the data-collection and data-analysis phases and will be destroyed once the data analysis for the study has been completed. Exception: Subject to disclosure requirements of the Privacy Act. Before any data are released by the Contractor to the Government, not only will the link file be destroyed, but entirely new randomly assigned code numbers will be applied to each student data record. It will be done in such a way that not even the district from which the student's record comes will be identifiable. This will eliminate any possible remaining connection between student name on the one hand and the student records provided to the Government on the other hand.

Retention and disposal: All data will be destroyed upon completion of contract requirements. Paper files will be destroyed by maceration and magnetic tapes will be erased.

System manager(s) and address:

Program Officer
Bilingual Impact Evaluation
U.S. Office of Education Room 3044 FOB-6,
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager (see above) will respond to inquiries. Individual must provide student name, district name, school, name of teacher, dates on which student was a participant in projects system name and ID number.

Record access procedures: Contact System Manager.

Contesting record procedures: Contact System Manager.

Record source categories: Data are obtained from tests administered to students.

Systems exempted from certain provisions of the act: None.

09-40-0050

System name: Presidential Scholars Files of Selected Participants. HEW E.

Security classification: None.

System location:

Room 3831 Donohoe Building
6th and D, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Selected Participants for the Presidential Scholars Program 1964 to present.

Categories of records in the system: Name, address, biographical information supplied by student.

Authority for maintenance of the system: Executive Order No. 11155, Sec 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Commission on Presidential Scholars for historical archives and current data to be used for annual selection of scholars; to authorized agency officials and employees as well as contracting officers which change yearly for arrangements for Presidential Scholars activities during their visit to Washington, D.C. to authorized agency officials and employees for public affairs, press releases, etc. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in file cabinets in paper files.

Retrievability: By name, state, and year of selection.

Safeguards: Used only by authorized personnel for specific purposes with permission of individual whose name is on file.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address:

Deputy Director, Office of Gifted and Talented
Office of Education
Room 3831 Donohoe Building
400 Maryland Avenue S.W.
Washington, D.C. 20202

Notification procedure: Contact system manager. Requester should provide name, address, system I.D., and system name.

Record access procedures: Contact system manager.

Contesting record procedures: Contact system manager.

Record source categories: Individual data subject himself by questionnaire. Records of College Entrance Examination Board containing information about the data subject individual from their test performance and their answers to questionnaires. Recommendations from school principal with permission of data subject. References are submitted on approved forms.

Systems exempted from certain provisions of the act: None.

09-40-0075

System name: Women in Executive Positions in Higher Education.

Security classification: None.

System location:

Suite 705
1100 17th Street, N.W.
Washington, D.C. 20036

Categories of individuals covered by the system: Possible consultants and position applicants.

Categories of records in the system: Records include: vitae on all women who qualify for positions in or concerning higher education.

Authority for maintenance of the system: Title IX, Education Amendments of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses set forth in Appendix B to 45 Code of Federal Regulations, Part 5b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy in standard file cabinets.

Retrievability: Records are indexed by name and by academic field and are available only to specifically designated staff.

Safeguards: Access is restricted to authorized OE Staff.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address:

Liaison for Minorities and Women in Higher Education
Bureau of Higher and Continuing Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: Contact System Manager.

Record access procedures: Contact System Manager.

Contesting record procedures: Contact System Manager.

Record source categories: Information is obtained directly from individuals wishing to be included in the Directory.

Systems exempted from certain provisions of the act: None.

09-40-0077

System name: Institutional Application to Participate in Federal Student Financial Aid Programs Regional Review Panel HEW-E.

Security classification: None.

System location:

26 Federal Plaza, Rm. 3954
New York, New York 10007

Categories of individuals covered by the system: Practicing Financial Aid Officers and other Experts in the field of Student Financial Aid.

Categories of records in the system: Field Reader Contracts, Vitas and Travel Vouchers.

Authority for maintenance of the system: Higher Education Act of 1965, as amended 20 USC 1070b-3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To Convene for purposes of review of applications submitted by post-secondary institutions and submitting recommendations to the Regional Office. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in standard file cabinet.

Retrievability: Name: By authorized Program Officers.

Safeguards: Stored in locked room.

Retention and disposal: Destroyed at the end of two (2) year panelists service cycle.

System manager(s) and address:

Senior Program Officer, Student Financial Aid
U.S. Office of Education
26 Federal Plaza
New York, NY 10007

Notification procedure: Notification procedure: System manager (see above) will respond to inquirers.

Record access procedures: (See above).

Contesting record procedures: System Manager.

Record source categories: Educational Institutions.

Systems exempted from certain provisions of the act: None.

09-40-0078

System name: Fellowships for Indian Students—Applications and Awards. HEW E.

Security classification: None.

System location: Office of Indian Education, Room 2160, F.O.B. 6 Washington, D.C. 20202

Categories of individuals covered by the system: American Indians who are citizens of the United States or residents of the United States for other than a temporary purpose, who have been accepted by institutions of higher education in a program leading to an undergraduate or graduate degree in the fields of Business Administration, Engineering and Natural Resources or related field, and graduate degree in the fields of Education, Law and Medicine or related fields, and who have applied to OE's Office of Indian Education for a fellowship.

Categories of records in the system: Name, address, phone number, date and place of birth, tribal affiliation, tribal roll number, social security number, sex, marital status, citizenship, names of dependents, educational background, employment background, educational transcripts, references, income information, admission test scores.

Authority for maintenance of the system: Indian Education Act of 1972, as amended, P.L. 92-318, Part B, Section 423.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to members of the National Advisory Council on Indian Education. For routine uses set forth in Appendix B to 45 Code of Federal Regulations Part 5b, numbers one through nine; for Field Readers for the purposes of determining eligibility and recommending awardees; selected data for developing brochures describing the fellows and their career goals for public information purposes; and to congressional officers in response to inquiries from those offices made at the request of individuals on whom records are kept. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy filed in locked standard file cabinets.

Retrievability: Records are accessed by individual names only by authorized OE staff and Field Readers for the purposes of: determining eligibility; selecting fellows; establishing allowances for stipends, dependents, tuition, and other expenses; determining continued eligibility; and developing profile information regarding recipients of fellowships for program evaluation, planning, reporting and publicity purposes.

Retention and disposal: Records on fellowship holders are sent to the Federal Records Center six months after final payment. They are destroyed by the Federal Records Center three years after final payment. Records on alternates are maintained for one year. They

are then sent to the Federal Records Center where they are destroyed one year later. Application forms from applicants not selected as fellows or alternates are returned to the applicant. Other records on these applicants, containing information on the selection procedure, are maintained for one year and then sent to the Federal Records Center where they are destroyed three years later.

System manager(s) and address:

Associate Deputy Commission

Office of Indian Education

ATTENTION: Education Program Specialist for Fellowships

Room 2160, F.O.B. 6, Washington, D.C. 20202

Notification procedure: Contact Education Program Specialist for Fellowships.

Record access procedures: Contact Education Program Specialist for Fellowships.

Contesting record procedures: Contact Education Program Specialist for Fellowships.

Record source categories: Information is submitted by the individual applicant on approved forms. References are submitted on approved forms.

Systems exempted from certain provisions of the act: None.

09-40-0079

System name: Potential and Actual Consultant, Field Reader, and Site Visitor Files, Indexes, and Lists HEW E OE.

Security classification: None.

System location: See Appendix I.

Categories of individuals covered by the system: Actual and prospective consultants, field readers, or site visitors used by the Office of Education to evaluate grant proposals, performance of grantees of contractors.

Categories of records in the system: Names of consultant, field reader, and site visitor addresses, position, institutional affiliation (if any), curriculum vitae (where necessary), social security number for reimbursement purposes reimbursement information, areas of individual expertise, tracking of assignments and appraisal of effort.

Authority for maintenance of the system: (20 USC 1221e-3). Information is provided by persons interested in participating on a voluntary basis.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To general public, on request, list of names and business addresses of potential and/or actual consultants, field readers, or site visitors. For uses 1,3,4,5,6,7,8 and 9 as stated in Appendix B, 45 CFR Part 5b. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in file cabinets or card files with pertinent data, and (in limited locations) computer data base tapes and disks.

Retrievability: By name, expertise, or social security number of potential or actual consultant, reader, or site visitor. Records are used to ensure that a fair, equal, and qualified group of consultants, readers, or site visitors is selected to review proposals or evaluate performances.

Safeguards: Direct access is restricted to persons designated by systems managers to be responsible for maintenance of file or selection of panels of consultants, readers, or site visitors. Automated locations are protected by password protect and key lock on terminal.

Retention and disposal: Destroy after five years (Item 25 OE Records Control Schedule).

System manager(s) and address: See Appendix I.

Notification procedure: Contact system manager of pertinent organizational component(s). Provide name and approximate date of pre-

vious correspondence. Additional verifying data (such as birthdate, home address) may be requested.

Record access procedures: Contact system manager as above.

Contesting record procedures: Contact system manager as above.

Record source categories: Information forwarded voluntarily by individuals interested in serving as consultants, readers, or site visitors, obtained by contacting individuals with specific expertise in the pertinent discipline of each system manager.

Systems exempted from certain provisions of the act: None.

APPENDIX I

Director, Office of Gifted and Talented

Room 3831 Donohoe Building

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Program Manager, Handicapped Research Program

Room 3165 Donohoe

400 6th Street, S.W.

Washington, D.C. 20202

Program Manager, Learning Disabilities Program

Room 3127 Donohoe Building

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Administrative Officer, Bureau of Education for the Handicapped

Room 4030, Donohoe Building

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Division of Local Educational Agency Assistance

Room 2167, FOB-6

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Division of Special Projects and Programs

Room 2161, FOB-6

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Division of Training and Facilities

Room 3066, ROB-3

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Division of International Education

Room 3907, ROB-3

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Division of Institutional Development

Room 3052, ROB-3

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Community College Unit

Room 3044, ROB-3

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Office of Environmental Education

Room 2025

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Director, Program Operations Division

Room 2007, FOB-6

400 Maryland Avenue, S.W.

Washington, D.C. 20202

Associate Commissioner, Equal Educational Opportunity Programs
Room 2001
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Division Director, Division of Education Republication
Room 3616, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Chief, Library Education and Postsecondary Resources Branch
Room 3622, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Chief, Library Research and Demonstration Branch
Room 3124, ROB-3
Washington, D.C. 20202

Chief, Educational Broadcasting Facilities Branch
Room 3122-A, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Director, Division of Educational Technology
Room 3116, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Executive Officer, Bureau of Occupational and Adult Education
Room 5636, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Program Manager, Metric Education Program Staff
Room 5640, ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Director, Women's Program Staff
Room 3121, FOB-6
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Privacy Coordinator
P.O. Box 8370
Boston, Massachusetts 02114

Deputy Director, Office of Career Education
Room 3100
7th and D Streets, S.W.
Washington, D.C. 20202

Executive Officer
Bureau of Higher and Continuing Education
Room 4072 ROB-3
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Privacy Coordinator
Room 406
26 Federal Plaza
New York, New York 10007

Privacy Coordinator
3535 Market Street, Room 16200
Philadelphia, Pennsylvania 19104

Privacy Coordinator
Room 513

50 Seventh Street, N.E.
Atlanta, Georgia 30323

Privacy Coordinator
32nd Floor,
300 South Wacker Drive
Chicago, Illinois 60606

Privacy Coordinator
1114 Commerce Street
Dallas, Texas 75202

Privacy Coordinator
Room 360, FOB
601 East 12th Street
Kansas City, Missouri 64106

Privacy Coordinator
Room 3444A, FOB
1961 Stout Street
Denver, Colorado 80202

Privacy Coordinator
50 Fulton Street
San Francisco, California 94102

Privacy Coordinator
Room 515
Arcade Plaza Building
1321 Second Avenue
Seattle, Washington 98101

09-40-0080

System name: Training and Development Awards for Vocational Education Personnel—Applications and Awards. HEW E.

Security classification: None.

System location:

ROB No. 3, Room 5640
7th and D Streets S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Persons who wish to participate in Federal vocational education fellowship programs and who voluntarily submit personal information.

Categories of records in the system: Name, address, phone number, date of birth, sex, educational background, employment background, educational transcript, references, test scores, minority group membership, ability to meet national needs, professional organization membership, State Board recommendations, communication skills; for Leadership Development Awards, special leadership qualifications, management skills, leadership potential; for Teacher Certification Awards, certification requirements, certification status, human relation skills, and vocational skills.

Authority for maintenance of the system: Vocational Education Act of 1963, Title I, Part B, Subpart 2, Section 172, as amended by the Education Amendments of 1976, P.L. 94-482, Title II.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine uses set forth in Appendix B to 45 Code of Federal Regulations, Part 5b, numbers one through nine; for Field Readers for the purposes of determining eligibility and recommending awardees; selected data for developing brochures describing the fellows and their career goals for public information purposes; and to Congressional offices in response to inquiries from those offices made at the request of individuals on whom records are kept. A copy of the application is forwarded for review purposes to the institution of higher education to which the awardee is assigned and to the State Board of the State in which the applicant resides. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to affect directly the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent the employee, the Department may disclose the records as it deems desirable or necessary to the Department of

Justice to enable that Department to effectively represent the party, provided the disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard-copy, filed in locked standard file cabinets.

Retrievability: Records are accessed by individual names only by authorized OE staff and Field Readers for the purposes of: determining eligibility; selecting fellows; establishing allowances for stipends, dependents, tuition, and other expenses; determining continued eligibility; and the developing profile information regarding recipients of fellowships for program evaluation, planning, reporting and publicity purposes.

Safeguards: Direct access is restricted to authorized OE staff.

Retention and disposal: Records on fellowship holders are sent to the Federal Records Center six months after final payment. They are destroyed by the Federal Records Center three years after final payment. Records on alternates are maintained for two years for Teacher Certification Awards and three years for Leadership Development Awards. They are then sent to the Federal Records Center where they are destroyed one year later. Application forms from applicants not selected as fellows or alternates are returned to the applicant. Other records on these applicants, containing information on the selection procedure, are maintained for one year and then destroyed.

System manager(s) and address:

Chief, Vocational Education Personnel Development Branch
Bureau of Occupational and Adult Education
400 Maryland Avenue SW., ROB-3, Room 5640
Washington, D.C. 20202

Notification procedure: An individual should provide his or her name to the system manager in order to verify whether his or her application is in the system.

Record access procedures: An individual who is interested in seeing his or her application should contact the system manager, and be prepared to verify his or her identity to the system manager.

Contesting record procedures: An individual who wishes to contest the contents of an application file in this system should contact the system manager, identify the portion of the application to be changed, and provide written justification and authorization for the change.

Record source categories: Information is submitted by the individual applicant on approved forms. References are attached to applications.

Systems exempted from certain provisions of the act: None.

09-40-0031

System name: Women Administrators in Vocational Education

Security classification: None

System location:

The National Center for Research in Vocational Education
The Ohio State University
1960 Kenny Road
Columbus, Ohio 43210

Categories of individuals covered by the system: Women administrators of vocational education programs who voluntarily submit personal information to be published in a Directory of Women Administrators in Vocational Education. A panel of six vocational education administrators representing two state education agencies, two local education agencies, universities/colleges, and junior/community colleges/technical institutes will choose which individuals to invite to submit information for publication in the directory.

Categories of records in the system: Name; job title; employing organization; size of budget administered; number of vocational programs, students, and teachers supervised; school district serving; percentage of time devoted to administering a vocational-technical education program; number of years in present position; highest level of education; specialized training in administration; area of expertise; experience in policymaking and decisionmaking; and membership in professional administration associations. All information in this system will become public information.

Authority for maintenance of the system: Section 171(a) (1) and (2) of the Vocational Education Act of 1963 as amended by Section 202(a) of Public Law 94-482. Information is provided voluntarily.

Failure to provide the information would result in the individual not being included in the directory.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: As all information in this system will be public, and not subject to disclosure accounting (45 CFR para. 5b.9(c)), there are no routine use disclosures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The directory will be printed and distributed to the U.S. Office of Education, members of the Directory Selection Criteria Panel, ERIC, and staff of the National Center for Research in Vocational Education. The directory will also be made available to the vocational education community and other interested persons on a cost-recovery basis through the National Center for Research in Vocational Education Publication Department. Survey forms will be stored in standard file cabinets and on magnetic tape.

Retrievability: OE, its contractor, and other users retrieve information by name of an individual. The users will utilize information to identify and contact respondents whose skills and experience might qualify them for job opportunities, or to participate in meetings on vocational education.

Safeguards: Only authorized contractor employees, or employees of OE, will have access to individual data in the system. The contractor will maintain information in accordance with NBS and departmental ADP Security standards. This limited access will serve to protect the integrity of individual data in the system.

Retention and disposal: OE will maintain hard copy until the information is obsolete. OE will maintain magnetic tapes until the contractor updates the directory.

System manager(s) and address:

Project Director for
Directory of Women Administrators
Research Branch
Bureau of Occupational and Adult Education
Room 5018 ROB-3
7th and D Streets, S.W.
Washington, D.C. 20202

Notification procedure: In order to determine whether a record exists in the system of records under her name an individual should either consult the directory or contact the system manager at the above address, and provide her name.

Record access procedures: An individual interested in seeing her record should contact the system manager, provide her name, and reasonably specify the record contents being sought.

Contesting record procedures: An individual who wishes to contest the content of a record in the system should contact the system manager, identify herself, and state, in writing, which portion of the record should be changed. The individual should also provide a justification and authorization for the change.

Record source categories: Individuals will provide necessary information directly to the Office of Education and its contractor on a voluntary basis.

Systems exempted from certain provisions of the act: None.

09-40-0082

System name: Health Education Assistance Loan Program (HEAL)
Loan Control Master File.

Security classification: None.

System location:

ROB-3, Room 3674
7th & "D" Streets, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Students applying for health education assistance loans or having received educational loans under the provisions of the HEAL Program.

Categories of records in the system: Contains name, social security number or other identifying number, birth date, demographic background, educational status, loan location and status, financial information about the individual for whom the record is maintained. Contains lender and school identification.

Authority for maintenance of the system: Title VII, Part C, Subpart I of the Public Health Service Act (42 U.S.C. 294-294f)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information may be provided by OE to Federal, State or local agencies, to private parties

such as relatives, present and former employers, business and personal associates, to guarantee agencies, to educational and financial institutions, to credit bureaus and collection agencies and to agency contractors, in order to verify the identity of the applicant, to determine program eligibility and benefits, to enforce the conditions or terms of the loan, to permit servicing or collection of the loan, to counsel the borrower in repayment efforts, to investigate possible fraud and abuse and to verify compliance with program regulations, or to locate a delinquent or defaulted borrower.

The information may be provided by OE to an educational agency or lending institution against which a complaint has been made; and for uses 1, 3, 4, 5, 6, 8, and 9 in Appendix B of the Departmental Regulations (45 CFR Part 5b).

Disclosure may be made by OE to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

In the event of litigation where one of the parties in (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: OE maintains the file on magnetic tape and disk packs in a library room at the above named location. A microfilm file will be kept in the same location and stored in a file cabinet.

Retrievability: OE retrieves information by social security number or other identifying number. Data are utilized to provide HEAL Program staff with statistical and managerial reports. Other uses by HEAL staff include: to identify students participating in the HEAL Program; to determine eligibility of loan applicants; to determine loan status of borrower; to compute insurance premium for Federal insurance; to compile and generate managerial and statistical reports; to update file and correct errors.

Safeguards: HEAL screens authorized contractor personnel. Contractor will maintain automated data in accordance with provisions of departmental ADP systems security standards. Direct access is restricted to authorized staff in performance of official duties. Maintained in locked cabinets.

Retention and disposal: OE retains information as long as the loan is unpaid. At the time of full payment OE will erase computer tapes and destroy all paperwork.

System manager(s) and address:

Director
Division of Policy and Program Development
Bureau of Student Financial Assistance
U.S. Office of Education
400 Maryland Avenue, S.W., ROB No. 3, Room 3674
Washington, D.C. 20202

Notification procedure: An individual should contact the system manager to determine whether a record exists for him or her. The individual should at the above address supply name, date of birth, and social security number of other identifying number whichever is appropriate.

Record access procedures: An individual who is interested in seeing his or her record should contact the system manager, provide the information listed in notification procedure and reasonably specify the record contents being sought.

Contesting record procedures: An individual who wishes to contest the content of his or her record in this system should contact the system manager, identify himself or herself and state, in writing, which portion of the record should be changed and provide a justification and authorization for the change.

Record source categories: OE obtains information from applications, correspondence, medical records, necessary legal documentation, and reports from borrowers and their families, lenders, schools, medical reports, employers, credit agencies, and Federal and State government agencies.

Systems exempted from certain provisions of the act: None.

09-44-0010

System name: Support for Improvement of Postsecondary Education; Field Readers to Review Proposals for FIPSE.

Security classification: None.

System location:

Fund for the Improvement of Postsecondary Education
Room 3123, 400 Maryland Avenue, S.W.
Washington, D.C. 20202

Categories of individuals covered by the system: Individuals with backgrounds and experience in postsecondary education.

Categories of records in the system: Resumes indicating name, position, work experience, and general personal information.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1 through 8 in Appendix B of the Departmental Regulations (45 Code of Federal Regulations 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in cabinet.

Retrievability: The file is organized by individuals who have read for FIPSE by year, program and name, and by individuals who request to read for FIPSE by name.

The use of the file is to secure academicians and scholars as readers to evaluate and make recommendations on FIPSE proposals and as consultants to review and assess FIPSE projects already in progress.

Safeguards: Administrative use by authorized agency personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Information is retained until an annual review of post field readers is conducted.

System manager(s) and address:

Deputy Director, FIPSE
Room 3123, 400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notification procedure: System manager; for general inquiries, name and date of previous correspondence, if known; for complaint/investigative material, name and any I.D. number assigned. Address is same as above.

Record access procedures: Contact system manager, listed above.

Contesting record procedures: Same as above.

Record source categories: Information forwarded to FIPSE by individuals interested in serving as field readers; information obtained by contacting individuals with specific expertise in postsecondary education.

Systems exempted from certain provisions of the act: None.

Billing Code 4110-02-M

System Number and System and Name

09-42-0016—Northwest Regional Education Laboratory, Experienced Based, Career Education Record System—HEW E NIE.

09-42-0017—Research for Better Schools Experienced Based Career Education Record System—HEW E NIE.

09-42-0018—Appalachia Educational Laboratory Experienced Based Career Education Record System—HEW E NIE.

09-42-0019—Far West Laboratory Experienced Based Career Education Records System—HEW E NIE.

09-42-0020—Educational Testing Service Experienced Based Career Education Record System—HEW E NIE.

09-42-0056—National Institute of Education, Sources and Effects of Teacher Expectations. HEW E NIE.

09-42-0065—NIE Outside Experts. HEW E NIE.

09-42-0078—Travel—Official Travel of NIE Personnel. HEW E NIE.

09-42-0079—NIE Controlled Correspondence. HEW E NIE.

09-42-0081—Compensatory Education Study. HEW E NIE.

09-42-0082—National Council on Educational Research Mailing Lists. HEW E NIE.

09-42-0083—National Council on Educational Research Current and Past Information on Members of the Council and Consultants. HEW E NIE.

09-42-0016

System name: Northwest Regional Educational Laboratory, Experienced Based Career Education Record System—HEW-E-NIE.

Security classification: None.

System location:

333 Oak Street
Portland, Oregon

CE2 Project Office
King City, Oregon

1947 Center Street
Berkeley, California

Categories of individuals covered by the system: Students, parents, employers, adopters, potential adopters involved with the EBCE program.

Categories of records in the system: System includes information on aptitude, achievement, student background, family background, attitudinal, interest, opinion, descriptive data on employer businesses, descriptive data on school districts, activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For transfer to cooperating school districts and to program participants (individually identifiable information for themselves only). To contractors for services and analysis of records by authorized personnel. In the event of litigation were one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard file containers, punch cards and magnetic tape.

Retrievability: Records can be retrieved by name (hard copy files) or assigned ID number (computer files) and are for monitoring progress of project-product development and for research, development, evaluation, and analysis of educational materials, projects, programs, including study of medium and long term program effects.

Safeguards: Access limited to authorized personnel; locked file cabinets and building security are procedures used. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address:

Asst. Dir., Home, Work, and Community, T and L
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department regulations (45 CFR, Section 5b.5(a)(2) Federal Register, October 8, 1975, page 47410).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Students, parents, school district, employers, adopters and potential adopters of EBCE program.

Systems exempted from certain provisions of the act: None.

09-42-0017

System name: Research for Better Schools Experienced Based Career Education Record System—HEW-E-NIE.

Security classification: None.

System location:

Olney High School
Front & Duncannon Street
Philadelphia, Pennsylvania

Career Education Program
1700 Market Street
Philadelphia, Pennsylvania

Census and Data System
Raub Hall
University of Delaware
Newark, Delaware

1947 Center Street
Berkeley, California

710 S.W. Second Avenue
Portland, Oregon

Categories of individuals covered by the system: Students, parents, employers, potential adopters involved in the EBCE Program.

Categories of records in the system: System includes information on aptitude, achievement, student background, family background, attitudinal data, interest data, opinion, descriptive data on employer businesses, descriptions of school districts, activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For transfer to cooperating school districts and to program participants (individually identifiable information for themselves only). To contractors for services and analysis of records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard file containers (hard copy), and on magnetic tape.

Retrievability: Records can be retrieved by name (hard copy file) or assigned ID number (hard copy and computer files) and are for monitoring progress of project/product development and for research, development, evaluation and analysis of educational materials, projects, programs, including study of medium and long term program effects.

Safeguards: Access limited to authorized personnel; records kept in locked cabinets and buildings with controlled access 24 hours a day. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address:

Asst. Dir., Home, Work, and Community T and L
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Students, parents, school districts, employers, adopters and potential adopters of EBCE Program.

Systems exempted from certain provisions of the act: None.

09-42-0018

System name: Appalachia Educational Laboratory Experience Based Career Education Record System—HEW-E-NIE.

Security classification: None.

System location:

P.O. Box 1348

Charleston, West Virginia

(At both 19th & McCorkle SE and 1031 Quarrier Street address)

1947 Center Street

Berkeley, California

Research Department

Educational Testing Service

Princeton, New Jersey

710 S.W. Second Avenue

Portland, Oregon

Categories of individuals covered by the system: Students, parents, employers, visitors, adopter personnel.

Categories of records in the system: Achievement, aptitude, student and family background, attitude, interest, opinion, descriptive data on employer businesses and on school districts, student activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For transfer to cooperating school districts and to program participants (individually identifiable information for themselves only). To contractors for services and analysis of records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard file containers (hard copy), and on punch cards and magnetic tape.

Retrievability: Records can be retrieved by name (hard copy file) or assigned ID number (hard copy and computer files) and are for monitoring progress of project/product development and for research, development, evaluation and analysis of educational materials, projects, programs, evaluation including study of medium and long term program effects.

Safeguards: Access limited to authorized personnel; records kept in buildings with controlled access. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address:

Asst. Dir., Home, Work, and Community T and L

National Institute of Education

Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Contesting record procedures: Students, parents, school district, employers, adopters and potential adopters of EBCE program.

Record source categories: Students, parents, school districts, employers, adopters and potential adopters of EBCE Program.

Systems exempted from certain provisions of the act: None.

09-42-0019

System name: Far West Laboratory Experienced Based Career Education Records System—HEW-E—NIE.

Security classification: None.

System location:

1855 Folsom Street

San Francisco, California

1947 Center Street

Berkeley, California

Human Factors Research

Santa Barbara, California

Categories of individuals covered by the system: Students, parents, employers, potential adopters, adopters.

Categories of records in the system: Aptitude, achievement, student background, family background, attitudinal, interest, opinion, descriptive data on employer businesses, descriptive data on school districts, activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For transfer to cooperating school districts and to program participants (individually identifiable information for themselves only). To contractors for services and analysis of records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard file containers (hard copy), and on punch cards and magnetic tape.

Retrievability: Records can be retrieved by name (hard copy file) or assigned ID number (computer files) and are for monitoring progress of project/product development and for research, development, evaluation and analysis of educational materials, projects, programs, including study of medium and long term program effects.

Safeguards: Access limited to authorized personnel; records kept in locked cabinets and buildings with controlled access 24 hours a day. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address:

Asst. Dir., Home, Work, and Community, T and L

National Institute of Education

Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Student, parents, school districts, employers, adopters and potential adopters of EBCE Program.

Systems exempted from certain provisions of the act: None.

09-42-0020

System name: Educational Testing Service Experienced Based Career Education Record System—HEW E—NIE.

Security classification: None.

System location:

1947 Center Street
Berkeley, California

Categories of individuals covered by the system: Students, parents, employers, EBCE Lab staff.

Categories of records in the system: Achievement, student background, family background, attitudinal, interest, opinion, descriptive data on employer businesses, activity records.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in standard file containers (hard copy), on punched cards and magnetic tape.

Retrievability: Records can be retrieved by project, category and ID number (hard copy file) or assigned ID number (computer files) and are for monitoring progress of project/product development and for research, development, evaluation and analysis of educational materials, projects, programs, including study of medium and long term program effects.

Safeguards: Access limited to authorized personnel; records kept in locked cabinets and buildings with controlled access. Exception: subject to disclosure requirements of the Privacy Act.

Retention and disposal: Not yet determined how long records will be kept in individually identifiable format.

System manager(s) and address:

Asst. Dir., Home, Work, and Community, T and L
National Institute of Education
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.).

Record source categories: Students, parents, employers, EBCE staff, EBCE projects.

Systems exempted from certain provisions of the act: None.

09-42-0056

System name: National Institute of Education, Sources and Effects of Teacher Expectations. HEW E—NIE.

Security classification: None.

System location:

1200 19th St., NW
Washington, D.C. 20208

Categories of individuals covered by the system: Seven first grade teachers and their 196 students in the Washington, D.C. area.

Categories of records in the system: Cross sectional and longitudinal records on teachers' expectations, background, behaviors, and students' interactions, grades, SES, parental involvement. For use in determining the effects of teacher expectations on student achievement gains.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of the records to authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The data are stored on magnetic tape which is stored in a locked filing cabinet.

Retrievability: The data are indexed by teachers', students' and principals' names. Identifiers are coded, and kept separate in a locked file from the master tapes. The data are used by members of the program staff to identify effective teacher behaviors. They are collected for statistical purposes only, and not for the determination of any individual's benefits or entitlements.

Safeguards: Tapes and coded are kept in locked room. Access is to authorized personnel only. Exception: Subject to disclosure requirements of Privacy Act.

Retention and disposal: NIE will maintain the list of names until June, 1980, at which time NIE will archive the data without personally identifiable information, and will destroy the list of names.

System manager(s) and address:

Associate Director, Teaching and Learning
Room 819
1200 19th St., N.W.
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager at the address above and must include the inquirer's name and address, dates of previous correspondence and the system ID number and name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify

fy the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Interviews, questionnaires of participants in the sample and observations during testing. All data were furnished voluntarily.

Systems exempted from certain provisions of the act: None.

09-42-0065

System name: NIE Outside Experts. HEW E—NIE.

Security classification: None.

System location:

Room 722, Brown Building

1200 19th Street, N.W.

Washington, D.C. 20208

Categories of individuals covered by the system: Individuals who have been used as outside experts.

Categories of records in the system: Name, department or title, institution, address, institutional category, academic discipline, type of work, year of birth, academic degrees and experience of individuals who have been used as outside experts, together with task(s) performed.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The data are used to prepared periodic lists of outside experts and the tasks they have performed and aggregate figures on categories of persons used. These lists and figures are used internally to monitor and improve NIE efforts to involve men and women covering a wide variety of institutions, disciplines, type of work, ethnic background, geographical location, and ages, in development and evaluation of its programs. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in computer disc files, with printouts as appropriate.

Retrievability: These lists and figures may be released as a matter of public interest; lists of names that may be made public do not indicate sex or ethnicity of individuals.

Safeguards: Code number keys protect access to sensitive data. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Deputy Director for Management

Room 722, Brown Building

1200 19th Street NW.

Washington, D.C. 20208

Notification procedure: System manager; for general inquiries, name, system name and I.D. number and date of previous correspondence if applicable. Address is same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Data compiled from published biographies or curriculum vitae provided voluntarily or as a condition for

obtaining a contract or temporary personnel appointment. Sex and ethnicity are included when known.

Systems exempted from certain provisions of the act: None.

09-42-0078

System name: Travel—Official Travel of NIE Personnel. HEW E—NIE.

Security classification: None.

System location:

National Institute of Education

Room 711 M

1832 M Street NW.,

Washington, D.C. 20208

Categories of individuals covered by the system: NIE Personnel.

Categories of records in the system: Names of personnel on official travel, including points of travel, purpose and expenses.

Authority for maintenance of the system: 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General Accounting Office. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored in cabinet files.

Retrievability: Data are indexed by name. Records are available to NIE Personnel.

Safeguards: Data are for use of authorized personnel only. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Travel materials are maintained for 3 years or until auditing.

System manager(s) and address:

Chief, Financial and Data Management Division

Room 711-M

1832 M Street NW

Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager at the address above and must include the inquirer's name and address, the system ID number and name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contest being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Materials obtained during course of travel pertaining to authorization of travel, expenses incurred, and other fiscal data.

Systems exempted from certain provisions of the act: None.

09-42-0079

System name: NIE Controlled Correspondence. HEW E—NIE.

Security classification: None.

System location:

Room 722

1200 19th Street, N.W.

Washington, D.C. 20208

Categories of individuals covered by the system: Members of the general public, members of Congress, members of the educational

community and others who correspond on a variety of matters with the Institute.

Categories of records in the system: Correspondence on a variety of matters including general inquiries, Congressional inquiries on behalf of constituents, unsolicited proposals, requests for program information, requests for staff assistance, inquiries on employment opportunities, and other matters.

Authority for maintenance of the system: Section 405(e)(1) of the General Education Provisions Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For uses 1 through 9 of the Departmental Regulations (45 Code of Federal Regulations 5b). In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored in cardex form and in folders in file cabinets.

Retrievability: Indexed by name, by state, and by subject matter. Data are utilized by authorized staff within the Institute in the performance of their duties.

Safeguards: Access is limited to authorized personnel. Exemption: Subject to disclosure requirements of Privacy Act.

Retention and disposal: All files are retained for two years and then boxed and forwarded to the Federal Records Center.

System manager(s) and address:

Executive Secretariat
Room 722, Brown Building
1200 19th Street, N.W.
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, and must include inquirer's name, address, dates of previous correspondence, the system name and I.D. number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Data are obtained from correspondence addressed to the Institute from a variety of sources including the general public, prospective contractors, members of Congress, and others.

Systems exempted from certain provisions of the act: None.

09-42-0081

System name: Compensatory Education Study. HEW-E-NIE.

Security classification: None.

System location: See Appendix A and Appendix B.

Categories of individuals covered by the system: The subjects are school children in the elementary and intermediate grades (1-9); parents of such children; teachers and paraprofessionals involved in compensatory education programs; administrators at the local, district, state, and federal levels and lawyers and auditors involved in Title I cases. Additionally, subjects include community leaders; other teachers and administrators (i.e., principals, superintendents, analysts, evaluators) at the local, district, state and federal levels; and persons in educational research, both past and currently.

Categories of records in the system: The records consist of data regarding children's involvement in compensatory education or other school programs, including background information and achievement

data; parents', teachers' and other staffs' perceptions regarding education programs and their administration; administrators' perceptions and problems regarding compensatory education programs; and researchers' views, both empirically based and intuitive.

Authority for maintenance of the system: Authority for maintenance of the system: Sec. 821 of the Education Amendments of 1974 (P. L. 93-380).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records will be available to contractors for services and analysis by authorized personnel. Achievement and other program data in personally-identifiable form will be available only to the school in which it was collected for purposes of planning and evaluation by school personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on disc, tape, IBM cards, and in hard copy filed in standard file cabinets.

Retrievability: The records are indexed by age, grade, agency, geographic location, time sequence, topics, codes, or ID number. They will be used for reporting purposes or statistical research, in a non-personally identifiable format.

Safeguards: The records are safeguarded by permission and involvement of parents, teachers, administrators, and researchers. Names of individuals are primarily stored separately from the records and are accessible only to authorized personnel. Exception: Subject to disclosure requirements of the Privacy Act.

Retention and disposal: The records are maintained indefinitely.

System manager(s) and address:

Team Leader for Compensatory Education, LPM/EPO
1200 19th Street, N.W., Room 808
Washington, D.C. 20208

Notification procedure: Inquiry must be made in writing to the system manager (address above) and must include the inquirer's name, address, dates of previous correspondence, if known, and any system ID number and name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Data were collected by observation, interview, questionnaires administered both personally and through the mail, conference notes, testing, and re-analysis of previously collected data.

Systems exempted from certain provisions of the act: None

Appendix A

District Survey I

Stanford Research Institute
Menlo Park, California

Demonstration Projects
Colorado Department of Education
Denver, Colorado

Kansas State Department of Education
Topeka, Kansas

New Mexico Department of Education
Santa Fe, New Mexico

Arizona Department of Education
Phoenix, Arizona

Oklahoma Department of Education
Oklahoma City, Oklahoma

North Carolina Department of Public Instruction
Raleigh, North Carolina

State Education Department
Albany, New York

West Virginia Department of Education
Charleston, West Virginia

Texas Education Agency
Austin, Texas

California Department of Education
Sacramento, California

Wisconsin Department of Public Instruction
Madison, Wisconsin

Massachusetts Department of Education
Boston, Massachusetts

Rhode Island Department of Education
Providence, Rhode Island

Research Syntheses
Stanford Research Institute
Menlo Park, California

Harvard Graduate School of Education
Cambridge, Massachusetts

International Reading Association
Newark, Delaware

Contract Research Corporation
Belmont, Massachusetts

Ohio State University
Columbus, Ohio

Alternative Designs to Compensatory Education
UCLA Graduate School of Education
Los Angeles, California

Stanford Research Institute
Menlo Park, California

University of Kansas Department of Human Development
Lawrence, Kansas

Fanon Research & Development Center
Los Angeles, California

Research on Demonstration Projects
Abt Associates, Inc.
Cambridge, Massachusetts

Individualized Instruction Designs
Learning Research & Development Center
University of Pittsburgh
Pittsburgh, Pennsylvania

Education Turnkey Systems
Washington, D.C.

Research for Better Schools
Philadelphia, Pennsylvania

Contemporary Research Incorporated
Los Angeles, California

Survey of Legal Standards.
Lawyers' Committee for Civil Rights under Law
Washington, D.C.

Appendix B

Contractors for following projects:

Study of Individualization Implementation
Relationships between Theory & Practice in Reading
Study of State Administration, Title I and State Programs
Poverty Measures Study
Achievement Measures Study
Calculation of Effects of Eligibility criteria
Testing Synthesis
Effects of Alternative Procedures for Allocating Title I funds
Study of State Testing and Accountability Programs
Research on Relationship between Poverty & Achievement
Study of Subcounty Allocation
Study of Individualized Lesson Plans
Study of Teacher Training
Study of Districts with High Concentration of Funds
Study of Programs Regulations

09-42-0082

System name: National Council on Educational Research Mailing
Lists. HEW-E-NIE.

Security classification: None.

System location:

Room 729, Brown Building
1200 - 19th Street, N.W.
Washington, D.C. 20208

Categories of individuals covered by the system: Members of various governmental agencies and the public.

Categories of records in the system: Names and addresses of individuals receiving: minutes of Council meetings, resolutions adopted by the Council, lists of names and addresses of Council members (current), annual report of the Council, miscellaneous materials available for dissemination.

Authority for maintenance of the system: Section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Dissemination of information resulting from the meetings of the National Council on Educational Research. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Correspondence files and the mailing lists are maintained in file folders in unlocked area.

Retrievability: Records are filed by name of correspondent and are used by authorized staff to disseminate information on Council activities.

Safeguards: Access to mailing lists available only to authorized personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records maintained as long as mailing lists are active.

System manager(s) and address:

Chief,
National Council on Educational Research Staff
Room 729, Brown Building
1200 19th Street, N.W.
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: From the correspondents themselves.

Systems exempted from certain provisions of the act: None.

09-42-0083

System name: National Council on Educational Research Current and Past Information on Members of the Council and Consultants. HEW-E-NIE.

Security classification: None.

System location:

Room 729, Brown Building
1200 - 19th Street, N.W.
Washington, D.C. 20208

Categories of individuals covered by the system: Current and past members of the National Council on Educational Research and Consultants.

Categories of records in the system: Current and past records of the Council pertaining to: Personnel matters (personal records, biographical data, etc.), lists of names and addresses of members, records on Council nominees, Council fiscal records.

Authority for maintenance of the system: Section 405(b) of the General Education Provisions Act (20 U.S.C. 1221e(b)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractors for services and analysis of the records by authorized personnel. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the

Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file folders and kept in locked file cabinets.

Retrievability: Records are indexed by name—some by date. Records available only to authorized personnel on a "need-to-know" basis (working files and reference, estimating future budget needs, current names and addresses of Council members provided to individuals upon request).

Safeguards: File cabinets are locked during nonworking hours. Access is limited to authorized personnel. Exception: subject to disclosure requirements of Privacy Act.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address:

Chief,
National Council on Educational Research Staff
Room 729, Brown Building
1200 - 19th Street, N.W.
Washington, D.C. 20208

Notification procedure: Written inquiries must be made to the system manager, address above, and must include inquirer's name, address, dates of previous correspondence, the assigned system I.D. number and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulation (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Information from Council members and other areas of the agency.

Systems exempted from certain provisions of the act: None.

[FR Doc. 79-28594 Filed 10-5-79; 8:45 am]
Billing Code 4110-39-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Care Financing Administration

Privacy Act of 1974

Systems of Records; Annual Publication

AGENCY: Department of Health, Education, and Welfare, Health Care Financing Administration.

ACTION: Annual republication of notices of systems of records. SUMMARY: This document is the annual republication of Health Care Financing Administration (HCFA) notices of systems of records, meeting the requirements of 5 U.S.C. 552a(e)(4). The listing of notices is complete as of August 7, 1979, and does not contain any material which would require a new or altered system report as described in OMB Circular A-108. The notices do not contain any new routine uses. Nonetheless, these notices do include modifications for purposes of completeness, clarity, timeliness, and correctness.

If any errors appear because of inadvertent oversight, we will publish additional modifications, additions, and deletions in later issues of the Federal Register to correct such errors.

SUPPLEMENTARY INFORMATION: To assist the reader of our annual publication we list a summary of major modifications to the HCFA notices of systems of records. This summary includes new deletions and other changes which we have not yet described in the Federal Register. It does not include changes which have already been described in notices previously published in the Federal Register.

HCFA changes and deletions are as follows:

1. HCFA has redesignated system managers for certain systems of records as a result of the reorganization of central offices in 1979.

System Numbers: 09-70-0001 thru 09-70-0020

Prior System Managers: Director, Office of Policy Planning and Research (OPPR)

New System Managers: Director, Office of Research, Demonstrations and Statistics (ORDS)

System Numbers: 09-70-0501 thru 09-70-0521

Prior System Managers: Director, Medicare Bureau (MAB)

New System Managers: Director, Bureau of Program Operations (BPO)

System Numbers: 09-70-1503 thru 09-70-1510

Prior System Managers: Director, Health Standards and Quality Bureau (HSQB)

New System Managers: Director, Health Standards and Quality Bureau (HSQB)

System Numbers: 09-70-2002

Prior System Managers: Director, Office of Program Integrity (OPI)

New System Managers: Director, Bureau of Quality Control (BQC)

New system locations and new addresses of system managers similarly reflect the relocation of HCFA central offices in 1979.

2. The 1978 republication inadvertently omitted sections of system notices which other HEW components had published in the Federal Register prior to transferring the systems of HCFA. HCFA is correcting those oversights by reinserting the appropriate sections at this time.

Study of Medical Use Under the United Medical Clinic Plan or the Kaiser Health Plan (Statistics), 09-70-0012; System Number.

Survey of Physicians' Administrative and Practice Costs and Medicaid Participation, 09-70-0014; Routine Uses.

Ambulatory Surgery Research Project, 09-70-0015; Categories of Individuals covered by the system.

Carrier Medicare Claims Records, 09-70-0501; Record Access Procedures.

Intermediary Medicare Claims Records, 09-70-0503; System Number; Security Classification.

Reconsideration and Hearing Case Files (Part A) Hospital Insurance Program, 09-70-0508; Security Classification.

Medicare Benefit Check Records, 09-70-0511; Systems Exempted.

Explanation of Medicare Benefit Records, 09-70-0513; Systems Exempted.

Medicare Physician Supplier Master File, 09-70-0516; Systems Exempted.

3. HCFA is also deleting obsolete references to the Social Security Administration (SSA) and the Public Health Service (PHS) in notices

of systems which had been transferred from those organizations in 1977 and 1978.

4. Two notices concerning Medicare systems of records, "Carrier Medicare Claims Records", numbered 09-70-0501, and "Intermediary Medicare Claims Records", numbered 09-70-0503, include technical modifications to expand an existing routine use and to clarify language describing categories of individuals and records. The expanded use will permit disclosures to authorized billing agents of providers and suppliers of title XVIII services.

In the latter Medicare system notice, HCFA is also deleting a routine use which had been published in error. The deleted use had permitted disclosures to physicians and other suppliers of services for validation of annual Physician/Supplier Payment List data.

5. The title of the former "HCFA Program Integrity Case Files" system of records, numbered 09-70-2002, has been changed to "HCFA Program Integrity/Program Validation Case Files" to reflect the current status of the program. While the system location includes Program Integrity regional offices, the Office of Program Validation, Bureau of Quality Control, has replaced the former Program Integrity central office.

Some revisions in the notice concern the new function of program validation reviews. Since the Office of Program Validation encompasses Medicare as well as Medicaid, most changes reflect additional references to appropriate sections of the Social Security Act. Also incorporated is alternate language relating to the sections on retrievability, notification and access procedures, and system exemption.

Dated: September 17, 1979.

Leonard D. Schaeffer,

Administrator, Health Care Financing Administration.

Table of Contents

System Number and System Name

09-70-0001—Medical Second Surgical Opinion Experiments, HEW/HCFA/ORDS

09-70-0002—Clinical Psychology/Expanded Mental Health, HEW/HCFA/ORDS

09-70-0003—Lump Sum Reimbursement Method for Physician Extenders Delivering Independent Medicare Services, HEW/HCFA/ORDS

09-70-0004—Durable Medical Equipment Experiment, HEW/HCFA/ORDS

09-70-0005—Medical Bill File (Statistics), HEW/HCFA/ORDS

09-70-0006—Medicare Enrollment Records (Statistics), HEW/HCFA/ORDS

09-70-0007—Health Insurance Enrollment Statistics—General Enrollment Period, HEW/HCFA/ORDS

09-70-0008—Supplementary Medical Sample Bill Summary File of Medicare Utilization (Statistics), HEW/HCFA/ORDS

09-70-0009—Group Practice Prepayment Plan Line Item Sample of Medicare Utilization (Statistics), HEW/HCFA/ORDS

09-70-0010—Current Medicare Survey (Statistics), HEW/HCFA/ORDS

09-70-0011—Evaluation of the Impact of Surgical Screening Based Upon Union Member Utilization of the Pre-Surgical Consultant Benefit (Statistics), HEW/HCFA/ORDS

09-70-0012—Study of Medical Use Under the United Medical Clinic Plan on the Kaiser Health Plan (Statistics), HEW/HCFA/ORDS

09-70-0013—Annual 5 Percent Summary File of Services Reimbursed Under the Medicare Program (Statistics), HEW/HCFA/ORDS

09-70-0014—Survey of Physicians' Administrative and Practice Costs and Medicaid Participation, HEW/HCFA/ORDS

09-70-0015—Ambulatory Surgery Research Project, HEW/HCFA/ORDS

09-70-0016—Medicare Hospital Discharge Validation File, HEW/HCFA/ORDS

09-70-0017—Health Insurance Benefit and Actuarial Sample Control System, HEW/HCFA/ORDS

09-70-0018—Actuarial Sample Health Insurance and Supplementary Insurance (Medicare), HEW/HCFA/ORDS

09-70-0019—Actuarial Sample Hospital Stay Record Study, HEW/HCFA/ORDS

09-70-0020—Actuarial Sample of Supplementary Medical Insurance Payments, HEW/HCFA/ORDS

09-70-0501—Carrier Medicare Claims Records, HEW/HCFA/BPO

09-70-0502—Health Insurance Master Record, HEW/HCFA/BPO

09-70-0503—Intermediary Medicare Claims Records, HEW/HCFB/BPO
 09-70-0504—Non-Provider Overpayment Recovery File, HEW/HCFB/BPO
 09-70-0505—Supplementary Medical Insurance Premiums (Buy-In) Master Record, HEW/HCFB/BPO
 09-70-0506—Group Health Plan System, HEW/HCFB/BPO
 09-70-0507—Health Insurance Utilization Microfilm, HEW/HCFB/BPO
 09-70-0508—Reconsideration and Hearing Case Files (Part A) Hospital Insurance Program, HEW/HCFB/BPO
 09-70-0509—Medicare Beneficiary Correspondence Files, HEW/HCFB/BPO
 09-70-0510—Alphabetical Name File (Folder) of Health Insurance Program Consultants, HEW/HCFB/BPO
 09-70-0511—Medicare Benefit Check Records, HEW/HCFB/BPO
 09-70-0512—Review and Fair Hearing Case Files—Supplementary Medical Insurance Program, HEW/HCFB/BPO
 09-70-0513—Explanation of Medicare Benefit Records, HEW/HCFB/BPO
 09-70-0514—Payment Record of Supplementary Medical (Medicare) Enrollees (Statistics), HEW/HCFB/BPO
 09-70-0515—Chronic Renal Disease Beneficiary History File, HEW/HCFB/BPO
 09-70-0516—Medicare Physician/Supplier Master File, HEW/HCFB/BPO
 09-70-0517—Physician/Supplier 1099 File (Statement for Recipients of Medical and Health Care Payments), HEW/HCFB/BPO
 09-70-0518—Medicare Clinic Physician/Supplier Master File, HEW/HCFB/BPO
 09-70-0520—End Stage Renal Disease (ESRD) Medical Information System (Registry), HEW/HCFB/BPO
 09-70-0521—Medicare Beneficiary Claims for Emergency Services, HEW/HCFB/BPO
 09-70-1503—Cytotechnologists Proficiency Answer Sheets and Test Results (Medicare), HEW/HCFB/HSQB
 09-70-1504—Physical Therapists Proficiency Answer Sheets and Test Results (Medicare), HEW/HCFB/HSQB
 09-70-1505—Psychiatric Technician Proficiency Answer Sheets and Test Results (Medicare), HEW/HCFB/HSQB
 09-70-1506—Clinical Laboratory Technologists Proficiency Answer Sheets and Test Results (Medicare), HEW/HCFB/HSQB
 09-70-1507—Waivered Licensed Practical Nurse Proficiency Exam Answer Sheets and Test Results (Medicare), HEW/HCFB/HSQB
 09-70-1508—Independent Laboratory Directors Proficiency Answer Sheets and Exam Results (Medicare), HEW/HCFB/HSQB
 09-70-1509—Complaint Files on Nursing Homes, HEW/HCFB/HSQB
 09-70-1510—Professional Qualification Files, HEW/HCFB/HSQB
 09-70-2002—HCFB Program Integrity/Program Validation Case Files, HEW/HCFB/BQC

09-70-0001

System name: Medicare Second Surgical Opinion Experiments, HEW/HCFB/ORDS.

Security classification: None.

System location: Blue Cross and Blue Shield of Greater New York, 622 Third Avenue, New York, N.Y. 10017, and 3 Park Avenue, New York, N.Y. 10016, and Blue Cross and Blue Shield of Michigan, 600 Lafayette East, Detroit, Mich. 48226.

Categories of individuals covered by the system: Physicians who practice, and Medicare beneficiaries who reside in the carrier area of Blue Cross and Blue Shield of greater New York (plus Queens) or in Macomb, Oakland, or Wayne Counties for which the Medicare carrier is Blue Cross and Blue Shield of Michigan.

Categories of records in the system: Physicians: personal identification and demographic data.

Beneficiaries: personal identification, demographic data, and health status information pertinent to advisability of patient undergoing elective surgery.

Authority for maintenance of the system: Section 402 of the Social Security Amendments of 1967, P.L. 90-248, as amended by Section 222(b) of the Social Security Amendments of 1972, P.L. 92-603, 42 U.S.C. 1395b-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) Blue Cross and Blue Shield of greater New York and Blue Cross and Blue Shield of Michigan will use the data to: (1) operate referral centers to help eligible Medicare beneficiaries locate consultants and obtains second/third opinions, (2) collect information necessary to conduct referral operations and evaluate the impact of the program, and (3) modify claims processing systems to permit waiver of co-payment and deductible requirements under part B of Medicare on all second/third surgical opinion claims (i.e., physician and ancillary service costs). The Office of Research, Demonstrations and Statistics (ORDS), HCFB, will use the information to coordinate all data collection, reimbursement, and evaluation activities. HCFB will contract via request for proposals with an independent third party which will use data in the system to evaluate the impact of the second surgical opinion programs.

(b) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(c) In event of litigation where one of the parties is: (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hardcopy intake forms, first opinion physician/surgeon reports and consultants' reports will be stored in locked metal file cabinets in the referral centers established within the contractors' carrier offices. Completed data tapes created from hardcopy forms will be stored in the tape libraries maintained by the contractors for storage of routine Medicare claims tapes and subject to the same security precautions.

Retrievability: Hardcopy stored in referral centers will be retrievable by beneficiary name. Beneficiary information stored on tape will be retrievable by beneficiary name and health insurance claim number; provider information stored on tape will be retrievable by physician name and provider number.

Safeguards: All records will be retained in secure storage areas accessible only to authorized employees of Blue Cross and Blue Shield of Greater New York, Blue Cross and Blue Shield of Michigan, and the evaluation contractor staff. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. After the hardcopy and tapes are validated and analyzed by the evaluation contractor, they will be returned to HCFB.

For computerized records, where appropriate, ADP systems security procedures will be instituted with reference to guidelines contained in DHEW ADP Systems Manual, Part 6, "ADP Systems Security," and the National Bureau of Standards Federal Information Processing Standards Publications (FIPS PUB 41 and FIPS PUB 31) (e.g., use of password access). By taking all the aforementioned precautions, we have reduced the risk of unauthorized access to a minimum.

Retention and disposal: Hardcopy data collection forms and magnetic data tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1987. Hardcopy will be destroyed at this time.

System manager(s) and address: Director, Office of Research, Demonstrations and Statistics, Health Care Financing Administration Room 5054, Mary E. Switzer Building, 330 C Street, S.W., Washington, D.C. 20201.

Notification procedure: Any physician or Medicare beneficiary who participates in this demonstration as a provider or recipient of service may request his data record in writing. This request should be addressed to the system manager. To obtain data on physicians, the requestor should provide the name and business address of the physician; to obtain data on a Medicare beneficiary, the requestor should provide the beneficiary's name and home address.

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being

sought. These access procedures are in accordance with Department regulations (45 CFR, section 5b.5(a)(2)).

Contesting record procedures: Contact the system manager at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, section 5b.7).

Record source categories: Referral Center Intake Forms are completed by a referral center analyst upon receiving a call from a Medicare beneficiary requesting a second opinion under the demonstrations. First Opinion Physician/Surgeon Report Forms are completed by the first opinion physician in the Blue Cross and Blue Shield of Michigan demonstration and by the first surgeon in the Blue Cross and Blue Shield of Greater New York demonstration. The consultant's report is completed by second/third opinion consultants who are participating in the demonstrations.

Systems exempted from certain provisions of the act: None.

09-70-0002

System name: Clinical Psychology/Expanded Ment. HEW/HCF/A/ORDS.

Security classification: None.

System location:

Health Care Financing Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Colorado Blue Cross and Blue Shield
700 Broadway
Denver, Colorado 80203

SRI International
333 Ravenswood Ave.
Menlo Park, California 94025

Categories of individuals covered by the system: Beneficiaries (approximately 50 per year) who receive outpatient mental health services from independently practicing clinical psychologists in Colorado under Medicare.

Categories of records in the system: Patient's medical information, including mental health treatment, objectives, and procedures.

Authority for maintenance of the system: Section 402 of the Social Security Amendments of 1967, P.L. 90-248, as amended by Section 222(b) of the Social Security Amendments of 1972, P.L. 92-603, 42 U.S.C. 1395b-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) To the Colorado Psychological Association, peer review consultants, and Blue Shield of Colorado, under contract with the Health Care Financing Administration, for the performance of research and statistical functions, and to an organization under contract with the Health Care Financing Administration and consultants to the organization for the evaluation of the peer review process in compliance with the conditions of the agreement. (b) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. (c) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in a locked filing cabinet.

Retrievability: By name and health insurance claim number.

Safeguards: All records will be locked up when not in use. Only authorized personnel of Colorado Blue Shield and the Colorado Psychological Association will be granted access to the documents. Colorado Blue Shield currently reviews and processes all Part B Medicare claims in Colorado, and will apply similar safeguards to the records in this system.

Retention and disposal: All materials will be retained until December 31, 1980. All identifiable material will then be destroyed.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C St. S.W.
Washington, D.C. 20201.

Notification procedure: Provide the system manager with the name of the system, and the name, home address, and health insurance claim number of the person requesting notification. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR Sections 5b.5 and 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR Sections 5b.5 and 5b.6)).

Contesting record procedures: Contact the official at the address specified under system manager above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR Section 5b.7)).

Record source categories: Provider records collected from the subject individuals by the participating psychologist.

Systems exempted from certain provisions of the act: None.

09-70-0003

System name: Lump-Sum Reimbursement Method for Physician Extenders Delivering Independent Medicare Services, HEW/HCF/A/ORDS.

Security classification: None.

System location: Division of Health Services Studies, Office of Direct Reimbursement (ODR), Health Care Financing Administration (HCFA), 6401 Security Boulevard, Baltimore, Md. 21235.

Categories of individuals covered by the system: Physicians, physician extenders, and Medicare beneficiaries who participate in the physician Extender Reimbursement Study.

Categories of records in the system: Demographic, economic and patient care data involving Medicare covered services delivered by a physician extender.

Authority for maintenance of the system: Section 402 of the Social Security Amendments of 1967, P.L. 90-248, as amended by Section 222(b) of the Social Security Amendments of 1972, P.L. 92-603, 42 U.S.C. 1395b-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) The Office of Direct Reimbursement (ODR), HCFA, will act as a carrier making reimbursement to physician practices. The Office of Research, Demonstrations and Statistics, HCFA, coordinates all baseline data collection, reimbursement, and evaluation activities. System Sciences, Inc. (SSI) is under contract with HCFA for the performance of validation and evaluation functions.

(b) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(c) In event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: During the operational phase of the experiment, hard copy cost forms will be kept in secure storage spaces. Completed data tapes will be maintained in secure storage areas in the tape library in HCFA.

Retrievability: Records are retrievable in the following manner: Beneficiary information by health insurance claim number; physician information by provider number and practice number; physician extender information by PE identification number.

Safeguards: (access controls): All records will be retained in secure storage areas accessible only to authorized persons within the offices of ODR and ORDS. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. After the magnetic tapes are prepared for validation and evaluation by SSI, they are to be returned to HCFA and retained in secure storage areas until December 31, 1982. At this time hard copy collection forms will be destroyed and the magnetic data tapes will be erased by degaussing.

For computerized records, where appropriate, ADP systems security procedures will be instituted with reference to guidelines contained in DHEW ADP Systems Manual, Part 6, "ADP Systems Security" and the National Bureau of Standards Federal Information Processing Standards Publications (FIPS PUB 41 and FIPS PUB 31) (e.g., use of password access). By taking all the aforementioned precautions, we have reduced the risk of unauthorized access to a minimum.

Retention and disposal: Hard copy cost collection forms and magnetic data tapes with identifiers will be retained in secure storage areas. The disposal technique of degaussing will be used to strip magnetic tape of all identifying names and numbers in December 1982.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C St. S.W.
Washington, D.C. 20201

Notification procedure: Any physician, physician extender or Medicare beneficiary who participates in this new system as a provider or a recipient of service may request his data record in writing. This request should be addressed to the system manager, who will require the name and business address of the physician practice where the services were delivered.

Record access procedures: Same as notification procedure. Requester should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the system manager at the address specified under notification procedure above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Completed cost forms are submitted by participating physician practices. Physician practices consist of one supervising physician and at least one physician extender including nurse practitioners, physician assistants, and Medexes. Billing records are submitted by participating physician practices on behalf of Medicare beneficiaries receiving physician extender services.

Systems exempted from certain provisions of the act: None.

09-70-0004

System name: Durable Medical Equipment Experiment, HEW, HCFA, ORDS.

Security classification:

System location:

Health Care Financing Administration
Office of Research, Demonstrations and Statistics
Office of Demonstrations and Evaluation
Room 3-E-6
Meadows East Building
Baltimore, Maryland 21235

Office of the Contractor, Exotech Research & Analysis, Inc., 1200 Quince Orchard Boulevard Gaithersburg, Maryland 20760

Categories of individuals covered by the system: Medicare Beneficiaries acquiring durable medical equipment (DME) under Title XVIII of the Social Security Act in the following States or portions thereof during the course of the experiment: California, Florida, Idaho, Minnesota, Mississippi, New Mexico, New York, Tennessee, Virginia, Washington, and Wyoming.

Categories of records in the system: Administrative, billing, and descriptive information involving the purchase and/or rental of durable medical equipment under Title XVIII (Medicare Part B).

Authority for maintenance of the system: Section 245 of Public Law 92-603 (Social Security Amendments of 1972).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine disclosure of the records maintained in the system will be made to an organization under contract with the Health Care Financing Administration for the performance of the research and statistical functions as prescribed by the contract. The data collected will be utilized by the Contractor for statistical purposes in determining the results of the experimental program. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic computer tape.

Retrievability: All records are indexed by health insurance claim number and by Medicare carrier code number.

Safeguards: Magnetic computer tapes are to be kept in GSA approved containers with combination locks. The containers are to be located in a controlled access area where all nonemployees and nonauthorized personnel must identify themselves, state the nature of their business, and be logged in before gaining entry. All employees of the Contractor are subject to the penalties prescribed by the Privacy Act for unauthorized disclosure of personnel data. These safeguards are in accordance with Departmental standards limiting access to authorized personnel only.

Retention and disposal: All raw data, draft reports, correspondence, and reports generated during this experiment (including tapes, computer programs, position indices, etc.) shall be the property of the Government and shall be delivered to the HCFA Project Officer not later than 15 calendar days after contract completion date. Should the Project Officer request any of the above-mentioned material during the conduct of the experiment, the Contractor shall present such material to the Project Officer within 30 days of a written request. The material presented by the Contractor shall be as current as possible, relevant to the request. All tapes and final reports will be delivered to the Health Care Financing Administration and will be retained by the Health Care Financing Administration as long as necessary for program purposes.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, SW.
Washington, D.C. 20201

Notification procedure: For purposes of notification, provide the Systems Manager with the name, address, and Health Insurance Account Number of the person requesting access.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Departmental Regulations (45 CFR Part 5b.7)).

Record source categories: Requests from Medicare Part B Beneficiaries for reimbursement for the rental/purchase of durable medical equipment under title XVIII of the Social Security Act, including charges and descriptive material from suppliers of durable medical equipment; administrative and billing information for the reimbursement of durable medical equipment from Part B Medicare Carriers.

Systems exempted from certain provisions of the act: None.

09-70-0005

System name: Medicare Bill File (Statistics) HEW, HCFA, ORDS.
Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Persons enrolled in hospital insurance or supplemental medical benefits parts of the Medicare program.

Categories of records in the system: Bill data; demographic data on the beneficiary; diagnosis and surgery codes on a sampling of the population; hospital characteristics, when applicable, on a sample of persons treated as inpatients; skilled nursing home characteristics.

Authority for maintenance of the system: Section 1875 of the Social Security Act (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. To the Bureau of Census for use in processing research and statistical data directly related to the administration of Social Security programs. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by health insurance claim number and by hospital provider number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Records are maintained with identifiers as long as needed for program research.

Director, Office of Research Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex; and to ascertain whether the individual's record is in the system, utilization and date of utilization under Part A or Part B of Medicare services, home health agency, hospital (inpatient), hospital (outpatient) or skilled nursing facility.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with the Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Medicare enrollment records; Medicare bill records; Medicare provider records for a sample of persons treated as hospital patients (inpatient and outpatient) and skilled nursing facility patients.

Systems exempted from certain provisions of the act: None.

09-70-0006

System name: Medicare Enrollment Records (Statistics) HEW HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard

Baltimore, Maryland 21235

Categories of individuals covered by the system: All persons enrolled for hospital or supplemental medical benefits under the Medicare program, including enrollees for whom the State has paid the premiums and enrollees who are members of direct dealing group practice prepayment plans.

Categories of records in the system: Enrollment characteristics of the beneficiaries; demographic characteristics.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. To the Bureau of Census for use in processing research and statistical data directly related to the administration of Social Security programs. To an organization under contract with the Health Care Financing Administration information necessary to enable to the contractor to comply with the conditions of the agreement to perform research and statistical functions. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are accessible by claim number. Subfiles are indexed also by group practice pre-payment plan number or by State by-in number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Records are retained with identifiers as long as needed for program research analysis.

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C St, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access, write to the systems manager; he will require name of system, health insurance claim number, social security number, and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, enrollment in Medicare health or supplemental medical, participation in a direct dealing group practice pre-payment plan, or payment of premium by State.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Master beneficiary record; Medicare enrollment records.

Systems exempted from certain provisions of the act: None.

09-70-0007

System name: Health Insurance Enrollment Statistics General Enrollment Period HEW HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All persons who are eligible for Supplementary Medical Insurance coverage but have declined such coverage.

Categories of records in the system: Limited demographic data (sex, date of birth, State and county of residence).

Authority for maintenance of the system: Section 1875 of Title XVIII of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by health insurance claim number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Tapes are retained with identifiers as long as needed for program research.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, SW.
Washington, D.C. 20201

Notification procedure: For purposes of access, write to the Systems Manager. He will require system name and social security number and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Health Insurance Master Beneficiary File.

Systems exempted from certain provisions of the act: None.

09-70-0008

System name: Supplementary Medical Sample Bill Summary File of Medicare Utilization (Statistics) HEW HCFA, ORDS

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A 5 percent sample of Medicare beneficiaries who have received any supplementary medical (Medicare) services January 1, 1975, or later.

Categories of records in the system: Physician and supplier billing information.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any em-

ployee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by claim number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Records are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex, and to ascertain whether the individual's record is in the system, date (month and year) on which supplementary medical services were received.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Medicare claims submitted to carriers.

Systems exempted from certain provisions of the act: None.

09-70-0009

System name: Group Practice Prepayment Plan Line Item Sample of Medicare Utilization (Statistics) HEW HCFA, ORDS

Security classification: None.

System location:

Office of Statistics and Data Management
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Members of the Group Practice Prepayment Plans which deal directly with the Health Care Financing Administration; sample sizes for individual plans are based on size of the plan.

Categories of records in the system: Beneficiary identification data; type and place of service; physician specialty.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by health insurance claim number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Tapes are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name, if applicable), address, social security number, date of birth and sex, and to ascertain whether the individual's record is in the system, name of the Group Practice Prepayment Plan of which he is a member.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Data obtained from Form SSA-1590, Group Practice Plan Utilization Listing of Social Security Medical Insurance Services, and Form SSA-1591, Group Practice Plan Individual Patient Utilization Request of Social Security Medical Insurance Services.

Systems exempted from certain provisions of the act: None.

09-70-0010

System name: Current Medicare Survey (Statistics) HEW HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

System location:

Office of Research, ORDS, HCFA
6300 Security Boulevard
Baltimore, Maryland 21235

System location:

Wilkes Barre Punching Branch
Social Security Administration, VA Building
19 N. Main Street
Wilkes Barre, Pennsylvania 18701

System location:

Bureau of Census
Washington, D.C.

Categories of individuals covered by the system: Sample of aged (since 1966) and disability (since 1971) beneficiaries entitled to Medicare, and interview status.

Categories of records in the system: Demographic characteristics, health services (types and costs) used by Medicare beneficiaries, and interview status.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosures from this system are made to the Bureau of the Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department

determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape and disk files. Hard copies of the interview forms through 1973 are on microfilm. For subsequent years, hard copies of the interview forms are stored at Federal Records Centers. Interview status check-in cards for 1975-77 and tape disk files are also stored there. Magnetic tapes are in secured storage at SSA. Check-in cards and microfilms are in secured file cabinets at HCFA.

Retrievability: All interview records are identified by health insurance claim number.

Safeguards: Initial collection and processing performed by the Census Bureau. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Through 1974, hard copy was routinely destroyed six months after the record was placed on microfilm. Starting with 1975, hard copy will be retained for 3 years, and upon receipt of the fourth year data, the earliest year will be destroyed. Computer and card records and interview status check-in cards and tapes are maintained with identifiers as long as needed for purposes of program research. All records are reviewed annually for continued program need.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street SW
Washington, D.C. 20201

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex, and to ascertain whether the individual's record is in the system, type of social security benefit (old age or disability) received.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Medicare beneficiary records; survey type data collected by Census Bureau for the Social Security Administration.

Systems exempted from certain provisions of the act: None.

09-70-0011

System name: Evaluation of the Impact of Surgical Screening Based Upon Union Member Utilization of the Pre-Surgical Consultant benefit (Statistics) HEW, HCFA, ORDS.

Security classification: None

System location:

Cornell University Medical College
1300 York Avenue
New York, New York 10021

Categories of individuals covered by the system: Sample of those members of five unions in the Greater New York and Northern New Jersey who have used the pre-surgical consultation benefit in their union health contract.

Categories of records in the system: Demographic characteristics, medical diagnosis and surgical procedures, physician sociological characteristics, health insurance coverage, health status.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosures from this

system are made to contractors for research and statistical activities directed by the Health Care Financing Administration. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Records filed in alphabetical order.

Safeguards: Safeguards are provided by contract. Identifiable data are accessible only to the contractor and members of his staff.

Retention and disposal: Records will be retained with identifiers by the contractor only as long as is needed for purposes of program research and then destroyed.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, SW.
Washington, DC 20201

Notification procedure: For purposes of access, write the Systems Manager; he will require name of system, health insurance claim number, and, for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, the name of the union of which he is a member.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).))

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Union records retained by each union in the survey area.

Systems exempted from certain provisions of the act: None.

09-70-0012

System name: Study of Medical Use Under the United Medical Clinic Plan or the Kaiser Health Plan (Statistics) HEW HCFA, ORDS.

Security classification: None.

System location:

Palo Alto Medical Research Foundation
860 Bryant Street
Palo Alto, California 94301

Categories of individuals covered by the system: Stanford University employees (2,800) enrolled in one of the above prepaid health plans during the period January 1971-June 1974.

Categories of records in the system: Health services utilized and expenditures for health care.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosures from this system are made to contractors for research and statistical activities directed by the Health Care Financing Administration. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems

desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders, punchcards, magnetic tape.

Retrievability: Identification number based upon a scrambled social security number.

Safeguards: All records are kept in locked cabinet within a locked room; all persons having access to the data—project director, research associate, coding coordinator, research assistant, secretary, programmer and clerk assistant—are made aware of the confidentiality requirements when dealing with public records. All records are maintained on the premises of the contractor. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: Within one year after final reports are written, all identifiers will be removed.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, SW.
Washington, DC 20201

Notification procedure: For purposes of access, write to the Systems Manager; he will require name of system, social security number, and, for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, name of the health plan in which individual was enrolled and the dates of such enrollment.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).))

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Survey data collected under contract by Palo Alto Medical Research Foundation through West Coast Community Surveys.

Systems exempted from certain provisions of the act: None.

09-70-0013

System name: Annual 5 Percent Summary File of Services Reimbursed Under the Medicare Program (Statistics) HEW, HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Sample of Medicare enrollees with reimbursement services prior to January 1, 1975.

Categories of records in the system: Demographic characteristics; amount of reimbursement by type of service.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395LL).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Storage: All records are stored on magnetic tape.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: All records are indexed by claim number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Records are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Office of Research Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name, if applicable), address, social security number, date of birth and sex, and to ascertain whether the individual's record is in the system, whether any reimbursable services prior to 1974 and the date (month and year) of such services.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Medicare enrollment records; Medicare bill records.

Systems exempted from certain provisions of the act: None.

09-70-0014

System name: Survey of Physicians', Administrative and Practice Costs and Medicaid Participation HEW, HCFA, ORDS.

Security classification: None.

System location:

Abt Associates
55 Wheeler Street
Cambridge, Mass.

Categories of individuals covered by the system: A national and regional sample of 2000 office-based physicians.

Categories of records in the system: Education, professional background, age, and demographic information about physicians, to be merged with administrative and practice cost data, practice characteristics in terms of specialty, type, size, etc., and participation in Medicaid.

Authority for maintenance of the system: Section 1875 of the Social Security Act, and section 222(a) of the Social Security Act amendments of 1972, P.L. 92-603. (42 USC Sec. 1395LL, 1395f(note)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: American Medical Association background information will be maintained on a master sheet, and individually in each interview folder. Interview information will be maintained on question-

naires prior to conversion to magnet tape. Resulting tapes will contain no personal identifiers.

Retrievability: Until each interview is completed and verified, the contractor will maintain questionnaires and background information in folders labeled with the physician's name. After the information is removed from the folders, there can be no retrieval of individual records.

Safeguards: All identifiers will be removed from data as soon as the collection and matching is complete and verified. All persons having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Since the tapes will contain no personal identifiers, no special safeguards will be required.

Retention and disposal: Master sheets will be retained indefinitely. folder identification link will be destroyed. Tapes without personal identifiers will be maintained indefinitely.

System manager(s) and address:

Director, Office of Research Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: To access AMA background master sheets, name and address are required by the system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with the Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Responses from 1000 physicians nationwide and 1000 physicians in two Census regions, both for a single time use; background information from the American Medical Association Directory of Physicians.

Systems exempted from certain provisions of the act: None.

09-70-0015

System name: Ambulatory Surgery Research Project HEW, HCFA, ORDS.

Security classification: None.

System location:

The Orkand Corporation
8630 Fenton Street
Silver Spring, Md. 20910

System location:

The Orkand Corporation
0A420
5131 North Fortieth Street
Phoenix, Arizona 82018

Categories of individuals covered by the system: Patients in selected ambulatory and hospital surgical facilities, and selected physicians.

Categories of records in the system: Patient interview questionnaires containing demographic, financial, medical, and family information; physician questionnaires with demographic and financial information.

Authority for maintenance of the system: Section 402 of the Social Security Amendments of 1967, P.L. 90-248, as amended by Section 222(b) of the Social Security Amendments of 1972, P.L. 92-603, 42 U.S.C. 1395b-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractor under contract with the Health Care Financing Administration to perform research and statistical activities related to this study.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy questionnaires, hard copy patient identification forms, punched card decks, and magnetic tapes at contractor's locations. Magnetic tapes in non-individually identifiable form in the Bureau of Data Processing.

Retrievability: By name, indexed to case number. At completion of the study, patient identification index will be destroyed and retrieval of individual information will no longer be possible.

Safeguards: All records containing personal identifiers will be processed and handled at contractor's location. This installation has Department of Defense approval at SECRET CLEARANCE level, and has on-site security personnel 24 hours a day at primary location. The patient identifier forms will be retained in a safe at that site until they are destroyed at completion of the study.

Retention and disposal: Records will be retained only as long as required for records management purposes. All patient identification will be destroyed at the conclusion of the study. Magnetic tapes in non-individually identifiable form will be retained indefinitely.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of notification and access, name of system and name of individual; for purposes of verification, address, sex, and date of birth. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6))

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)))

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7))

Record source categories: Patient and physician interview forms; patient medical records.

Systems exempted from certain provisions of the act: None.

09-70-0016

System name: Medicare Hospital Discharge Validation File. HEW HCFA, ORDS.

Security classification: None.

System location:

Health Care Financing Administration
Mary E. Switzer Building
330 C St. S.W.
Washington, D.C. 20201

System location:

National Academy of Sciences
Institute of Medicine
Watergate Office Building
2600 Virginia Avenue
Washington, D.C. 20418

Categories of individuals covered by the system: Medicare beneficiaries (aged only) whose hospital bills were included in a 20 percent sample of beneficiaries during 1974 and 1975.

Categories of records in the system: Each record contains (1) patient identification data (name, HI number, sex, age) from the Medicare master enrollment file, and (2) hospitalization data (hospital name, admission and discharge date, primary diagnosis, primary surgical procedure performed) from both the Medicare hospital discharge billing file and the hospital medical record.

Authority for maintenance of the system: 42 U.S.C. Section 1395ll.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) To contractor for the performance of specific research and statistical activities directly related to the performance of this study.

(b) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(c) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Record lists, completed reabstract forms, and keypunched cards are stored in locked file cabinets. Magnetic tape files of patient records are stored in a tape library. All codes for numeric data on the tape files are stored in locked file cabinets. All of these storage facilities are located in the contractor's offices.

Retrievability: By beneficiary name, HI number, and birth date.

Safeguards: The contractor will be required to comply with Departmental safeguard procedures. All persons having access to the system of records have been notified of the criminal sanctions for unauthorized disclosure of information about individuals. The contractor maintains controlled access to computer files. As tape file records are created, individuals' names are eliminated and their HI numbers replaced with anonymous assigned record numbers. The master list for the assigned numbers is stored in locked file cabinets. There is controlled access to this list as all other stored files.

Retention and disposal: All reabstract forms, filing records and other data collection forms will be returned to HCFA with all patient identifiers removed. Key punch cards and magnetic tape files will be retained by the contractor for 6 months following contract termination and will then be destroyed by standard disposal procedures.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Health Care Financing Administration
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of notification, the system manager will need to know the name of the system, and the name and health insurance number of the person requesting notification. An individual who requests notification of or access to a medical record shall, at the time the request is made designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Sections 5b.5 and 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Sections 5b.5 and 5b.6).)

Contesting record procedures: Contact the official at the address specified under System Manager above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Records derived from Medicare master enrollment file, Medicare 20 percent hospital discharge record file, hospital medical records, and hospital Medicare claims forms.

Systems exempted from certain provisions of the act: None.

09-70-0017

System name: Health Insurance Benefit and Actuarial Sample Control System HEW, HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A sample of persons who have received Medicare benefits.

Categories of records in the system: Record contains a limited number of fields from bill files.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395l).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: Individual records are identified by claim account number. Data are used for statistical purposes.

Safeguards: All magnetic tapes are retained in secure storage areas accessible only to authorized persons within the Office of Systems Operations. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: Data are prepared monthly and magnetic tapes are returned to blank stock.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Room 5054, Mary E. Switzer Building
330 C Street, S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access the claim account number is required; write to the systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Health Insurance Master File.

Systems exempted from certain provisions of the act: None.

09-70-0018

System name: Actuarial Health, Insurance and Supplementary Medical Insurance (Medicare) HEW, HCFA, ORDS.

Security classification: None.

System location:

Office of the Actuary
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A 0.1 sample of persons who have received Medicare benefits.

Categories of records in the system: Health Insurance inpatient hospital and extended care admission and other health services; inpatient admission and billing—Christian Science Sanatorium; home health agency report and billing; and other documents used to support payments to providers of service. These forms contain the beneficiary's name, sex, health insurance claim number, date of admission and discharge, other health insurance data and a statement of services rendered. Supplemental medical insurance request for payment; provider billing for patient services by physician; prepayment plan for group Medicare practices dealing through a carrier; itemized bills and other similar documents required to support payments to physicians and other suppliers of Part B Medicare services.

Authority for maintenance of the system: Section 1875 of the Social Security Act, 42 U.S.C. 1395l.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional

office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms are kept in manila folders in the Office of the Actuary (Medicare).

Retrievability: The manila folders containing forms are filed in claim account number sequence.

Safeguards: The filing system is retained behind closed doors and is accessible only to authorized persons. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: The claims folder is maintained in file until the death of the individual. Once a year the file is purged and inactive folders are stored in the Federal Record Center. No provision has been made to destroy inactive folders.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Room 5054 ME Switzer Building
330 C Street S.W.
Washington, D.C. 20201

Notification procedure: For purposes of access the claim account number is required; write to the systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The identifying information contained in these records is obtained by the provider from the individual; the medical information is entered by the provider of medical services.

Systems exempted from certain provisions of the act: None.

09-70-0019

System name: Actuarial Sample Hospital Stay Record Study HEW, HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A 0.1 sample of persons who have received hospital insurance benefits.

Categories of records in the system: Information is obtained from inpatient hospital and extended care admission, and inpatient admission and billing forms.

Authority for maintenance of the system: Section 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: The file is indexed with claim account numbers; the data are used for statistical purposes.

Safeguards: All mag-tape files are retained in secure storage areas—accessible only to authorizing persons. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: The file is updated quarterly and the old tape goes to blank stock.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Room 5054, M. E. Switzer Building
330 C Street SW.
Washington, D.C. 20201

Notification procedure: For purposes of access the claim account number is required; write to systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The identifying information contained in these records is obtained by the provider from the individual; the medical information is entered by the provider of medical services.

Systems exempted from certain provisions of the act: None.

09-70-0020

System name: Actuarial Sample of Supplementary Medical Insurance Payments HEW, HCFA, ORDS.

Security classification: None.

System location:

Office of Systems Operations, OS, SSA
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A sample of records for persons who have received benefits under the supplemental medical insurance provisions of the Medicare program.

Categories of records in the system: The record contains only the information included in a payment record.

Authority for maintenance of the system: Section 1875 of the Social Security Act. (42 USC Sec. 1395ll).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: The file is indexed with claim account number; these data are used for statistical purposes.

Safeguards: All magnetic tapes are retained in secure storage areas accessible only to authorized persons. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: This file is updated on a quarterly basis. The tape files are returned to blank stock after three years.

System manager(s) and address:

Director, Office of Research, Demonstrations and Statistics
Room 5054, Mary E. Switzer Building
330 C Street, S.W.

Washington, D.C. 20201

Notification procedure: For purposes of access the claim account number is required; write to the systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Supplemental medical insurance payment record.

Systems exempted from certain provisions of the act: None.

09-70-0501

System name: Carrier Medicare Claims Records, HEW, HCFA, BPO.

Security classification: None.

System location: Carriers under contract to the Health Care Financing Administration and the Social Security Administration (see Appendix C, Section 4).

Categories of individuals covered by the system: Beneficiaries who have submitted claims for Supplementary Medical Insurance Benefits (Medicare Part B).

Categories of records in the system: Request for Payment; Provider billing for Patient Services by Physician; Prepayment Plan for Group Medicare Practices Dealing through a Carrier; Request for Claim Number Verification; Payment Record Transmittal; Statement of Person Regarding Medicare Payment for Medical Services Furnished Deceased Patient; Report of Prior Period of Entitlement; itemized bills and other similar documents from beneficiaries required to support payments to beneficiaries and to physicians and other suppliers of Part B Medicare services.

Authority for maintenance of the system: Sections 1842 and 1874 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) Claimants, other than the data subject, their authorized representatives or representative payees to the extent necessary to pursue claims made under title XVIII of the Social Security Act (Medicare).

(b) Third-party contacts by the Health Care Financing Administration and the Social Security Administration (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is expected to have information relating to the individual's capability to manage his affairs or his eligibility for or entitlement to benefits under the Medicare program when:

(1) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual), or

(2) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: the individual's eligibility to benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of system activities.

(c) Third-party contacts by the Health Care Financing Administration and the Social Security Administration where necessary to establish or verify information provided by representative payees or payee applicants.

(d) The Treasury Department for investigating alleged theft, forgery, or unlawful negotiation of Medicare reimbursement checks.

(e) The U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

(f) The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to the Social Security Act programs, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

(g) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

(h) Professional Standards Review Organization in connection with their review of claims, or in connection with studies or other review activities, conducted pursuant to Part B of Title XI of the Social Security Act.

(i) State Licensing Boards for review of unethical practices or nonprofessional conduct.

(j) Providers and suppliers of services (and their authorized billing agents) directly or dealing through fiscal intermediaries or carriers, for administration of provisions of the title XVIII.

(k) Contractors under contract to the Health Care Financing Administration and the Social Security Administration for the performance of research and statistical activities directly relating to the Social Security Act.

(l) State welfare departments pursuant to agreements with the Department of Health, Education, and Welfare for administration of State supplementation payments for determinations of eligibility for Medicaid, for enrollment of welfare recipients for medical insurance under section 1843 of the Social Security Act, for quality control studies, for determining eligibility of recipients of assistance under titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(m) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

(n) State audit agencies in connection with the audit of Medicaid eligibility considerations. Disclosures of physicians customary charge data are made to State audit agencies in order to ascertain the correctness of Title XIX charges and payments.

(o) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(p) Peer review groups, consisting of members of State, county, or local medical societies or medical care foundations (physicians), appointed by the medical society or foundation at the request of the carrier to assist in the resolution of questions of medical necessity, utilization of particular procedures or practices, or overutilization of services with respect to Medicare claims submitted to the carrier.

(q) Physicians and other suppliers of services who are attempting to validate individual items on which the amounts included in the annual Physician/Supplier Payment List or similar publications are based.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper, tape, disc, and punchcards.

Retrievability: System is indexed by health insurance claim number. The record is prepared by the beneficiary and is used by carriers to determine amount of Part B benefits. The bills are retained by the carriers.

Safeguards: Unauthorized personnel are denied access to the records area. Disclosure is limited.

Retention and disposal: Records are closed out at the end of the calendar year in which paid, held two additional years, transferred to Federal Records Center and destroyed after another 2 years.

System manager(s) and address:

Director, Bureau of Program Operations,
6401 Security Boulevard,
Baltimore, Md. 21235.

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office, the appropriate carrier, the Medicare Bureau Regional Office, or to the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Md. 21235. The individual should furnish his or her health insurance claim number and the name as shown on social security records. An individual who requests notification of or access to a medical records shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures

are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the records contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The data contained in these records is furnished by the individual. In most cases, the identifying information is provided to the physician by the individual. The physician then adds the medical information and submits the bill to the carrier for payment.

Systems exempted from certain provisions of the act: None.

09-70-0502

System name: Health Insurance Master Record, HEW/HCFA/BPO.

Security classification: None.

System location:

Health Care Financing Administration,
Bureau of Support Services,
6401 Security Blvd.,
Baltimore, Md. 21235.

Categories of individuals covered by the system: Individuals age 65 or over who have been, or currently are, entitled to health insurance (Medicare) benefits under title XVIII of the Social Security Act; individuals under age 65 who have been, or currently are, entitled to such benefits on the basis of having been entitled for not less than 24 consecutive months to disability benefits under title II of the Act or under the Railroad Retirement Act; and individuals who have been, or currently are, entitled to such benefits because they have chronic renal disease.

Categories of records in the system: The system contains information on enrollment, entitlement, Part A (Hospital) and B (Supplementary Medical) utilization, query and reply activity, health insurance bill and payment record processing, and Health Insurance Master Record maintenance.

Authority for maintenance of the system: Section 1814 and 1833 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Act relating to railroad employment.

(b) State Welfare Department pursuant to agreements with the Department of Health, Education, and Welfare for determination of eligibility for Medicaid, for quality control studies, for determining eligibility of recipients of assistance under titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(c) State audit agencies for auditing State Medicaid eligibility considerations.

(d) Providers and suppliers of services directly or dealing through fiscal intermediaries or carriers for administration of title XVIII.

(e) A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(f) Contractors under contract to the Health Care Financing Administration and the Social Security Administration or under contract to another agency with funds provided by the Social Security Administration for the performance of research and statistical activities directly relating to the Social Security Act.

(g) In the event of litigation where one of the parties is: (a) The Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper, listings, microfilm, magnetic tape disc and punchcards.

Retrievability: System is indexed by health insurance claim number, and is used to carry out the tasks of enrollment, query/reply activity, and health insurance bill and payment record processing.

Safeguards: Unauthorized personnel are denied access to the records areas. Disclosure is limited to routine use. For computerized records electronically transmitted between Central Office and field office locations (including Medicare contractors), systems securities are established in accordance with Departmental standards and National Bureau of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Retention and disposal: Records are closed out at the end of the calendar year in which paid, held 2 additional years, transferred to the Federal Records Center, and destroyed after another 6 years.

System manager(s) and address:

Director, Bureau of Program Operations,
6401 Security Boulevard,
Baltimore, Md. 21235.

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office, the appropriate carrier or intermediary, the Medicare Bureau Regional Office, or to the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Md. 21235. The individual should furnish his or her health insurance claim number and name as shown on Medicare records.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: The data contained in these records is furnished by the individual. There are cases, however, in which the identifying information is provided to the physician by the individual; the physician then adds the medical information and submits the bill to the carrier for payment. Updating information is also obtained from the Master Beneficiary Record.

Systems exempted from certain provisions of the act: None.

09-70-0503

System name: Intermediary Medicare Claims Records, HEW, HCFA, BPO.

Security classification: None

System location: Intermediaries under contract to the Health Care Financing Administration and the Social Security Administration (See Appendix C, Section 3.)

Categories of individuals covered by the system: Beneficiaries on whose behalf providers have submitted claims for reimbursement on a reasonable cost basis under Medicare Parts A and B.

Categories of records in the system: Inpatient hospital and skilled Nursing Facility Admission and Billing; Provider Billing for Medical and Other Health Services; Inpatient Admission and Billing—Christian Science Sanatorium; Home Health Agency Report and Billing, and other documents used to support payments to beneficiaries and providers of services. These forms contain the beneficiary's name, sex, health insurance claim number, address, date of birth, medical record number, prior stay information, provider name and address, physician's name, date of admission and discharge, other health insurance, diagnoses, surgical procedures, and a statement of services rendered.

Authority for maintenance of the system: Section 1816 and 1874 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) Claimants, other than the data subject, their authorized representatives or representative payees to the extent necessary to pursue claims made under title XVIII of the Social Security Act (Medicare).

(b) Third-party contacts by the Health Care Financing Administration and the Social Security Administration without the consent of the individual to whom the information pertains in situations where the party to be contacted has, or is expected to have information relating to the individual's capability to manage his affairs or his

eligibility for or entitlement to benefits under the Medicare program when:

(1) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual) or

(2) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: the individual's eligibility to benefits under the Medicare program; the amount of reimbursement; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement of systems activities.

(c) Third-party contacts by the Health Care Financing Administration and the Social Security Administration where necessary to establish or verify information provided by representative payees or payee applicants.

(d) The Treasury Department for investigating alleged theft, forgery, or unlawful negotiation of Medicare reimbursement checks.

(e) The U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

(f) The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, or other criminal statutes as they pertain to Social Security Act programs, for representing the secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.

(g) The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts' relating to railroad employment.

(h) Professional Standards Review Organization in connection with their review of claims, or in connection with studies or other review activities, conducted pursuant to Part B of Title XI of the Social Security Act.

(i) State Licensing Boards for review of unethical practices or nonprofessional conduct.

(j) Providers and suppliers of services (and their authorized billing agents) directly or dealing through fiscal intermediaries or carriers, for administration of provisions of title XVII.

(k) Contractors under contract to the Health Care Financing Administration and the Social Security Administration for the performance of research and statistical activities directly relating to the Social Security Act.

(l) State welfare departments pursuant to agreements with the Department of Health, Education, and Welfare for administration of State supplementation payments for determination of eligibility for Medicaid, for enrollment of welfare recipients for medical insurance under Section 1843 of the Social Security Act, for quality controls studies, for determining eligibility of recipients of assistance under titles IV and XIX of the Social Security Act, and for the complete administration of the Medicaid program.

(m) A congressional office from the record of an individual in response to an inquiry from the congressional office at the request of that individual.

(n) State audit agencies in connection with the audit of Medicaid eligibility considerations.

(o) In the event of litigation where one of the parties is (a) the Department, any components of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purposes for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper forms, magnetic tape and microfilm.

Retrievability: The system is indexed by health insurance claim number. The record is prepared by the hospital or other provider with identifying information received from the beneficiary to establish eligibility for Medicare and document and support payments to providers by the intermediaries. The bill data are forwarded to the Health Care Financing Administration, Bureau of Support Services,

Baltimore, Md., where they are used to update the central office records.

Safeguards: Disclosure of records is limited. The file area is closed to unauthorized personnel.

Retention and disposal: Records are closed out at the end of the calendar year in which paid, held 2 more years, transferred to the Federal Records Center and destroyed after another 6 years.

System manager(s) and address:

Director, Bureau of Program Operations, 6401 Security Boulevard, Baltimore, Md. 21235.

Notification procedure: Inquiries and requests for systems records should be addressed to the social security office nearest the requester's residence (see Appendix F.) the appropriate intermediary, the Medicare Bureau Regional Office, or to the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Md. 21235. The individual should furnish his or her health insurance number and name as shown on social security records. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the records contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, section 5b.7).)

Record source categories: The identifying information contained in these records is obtained by the provider from the individual; the medical information is entered by the provider of medical services.

Systems exempted from certain provisions of the act: None.

09-70-0504

System name: Non-Provider Overpayment Recovery File HEW, HCFA, BPO.

Security classification: None.

System location:

Director, Bureau of Program Operations,
6401 Security Blvd.,
Baltimore, Maryland 21235.

Categories of individuals covered by the system: The system contains the name of the beneficiary on whose account an overpayment has been made and the name of the physician or supplier to whom the overpayment was made.

Categories of records in the system: The file includes completed Medicare claims forms which contain patient's name, sex, claim number, address, date of birth, date of treatment, diagnosis, and summary of treatment rendered as well as other documents that were used in calculating the existence and amount of overpayment.

Authority for maintenance of the system: Section 1870 of the Social Security Act and Section 3 of the Federal Claims Collection Act of 1966, 30 U.S.C. 952.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to the Department of Justice when civil litigation is involved, to the Internal Revenue Service for investigation of alleged tax fraud and to Professional Standards Review Organizations and State Licensing Boards for review of unethical practices or non-professional conduct. Further, HCFA may request a credit report on certain physicians or suppliers from whom repayment of an overpayment is requested. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any components of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to

effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in individual folders.

Retrievability: The system is indexed by beneficiary name and cross-indexed by physician or supplier name. The purpose of the record is to provide documentation and control of cases in which a Medicare overpayment has been made.

Safeguards: Only authorized personnel are permitted in the file area.

Retention and disposal: The files are retained indefinitely.

System manager(s) and address:

Director, Bureau of Program Operations,
6401 Security Blvd.,
Baltimore, Maryland 21235.

Notification procedure: Inquiries and requests for system records should be addressed to the Health Care Financing Administration, Bureau of Program Operations, Office of Standards and Performance Evaluation, Division of Reimbursement, Recovery, and Reconsideration Evaluation, Recovery Evaluation Branch, 6401 Security Blvd., Baltimore, Md. 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Data in these records is obtained from carrier or intermediary billing records.

Systems exempted from certain provisions of the act: None.

09-70-0505

System name: Supplementary Medical Insurance Premiums (Buy-In) Master Record—HEW, HCFA, BPO.

Security classification: None.

System location:

Health Care Financing Administration,
Bureau of Support Services,
6401 Security Boulevard,
Baltimore, Maryland 21235.

Categories of individuals covered by the system: Health insurance beneficiaries whose supplementary medical insurance benefit and/or hospital insurance benefit premiums are paid by a third-party: a State welfare agency, the Civil Service Commission, or a private organization.

Categories of records in the system: Beneficiary's name, health insurance claim number, date of birth, sex, amount of premium liability, date agency first became liable for HIB (Health Insurance Benefit) or SMIB (Supplemental Medical Insurance Benefit) premiums, last month of agency premium liability, agency identification numbers, Civil Service annuity number for Civil Service Commission recipients.

Authority for maintenance of the system: Sections 1840 (d) and (e) and 1843 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: State welfare departments pursuant to agreements with the Department of Health, Education, and Welfare for enrollment of welfare recipients for medical insurance under section 1843 of the Social Security Act. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, microfilm.

Retrievability: The system is indexed by health insurance claim number.

Safeguards: Only authorized personnel have direct access to information in the third-Party Master Record. In addition, all personnel are advised that this information is confidential.

Retention and disposal: Tape records are retained for 90 days, filed for 1 year, then erased. Correspondence files are retained for 1 year, then discarded. Monthly microfilm records are destroyed after 1 year.

System manager(s) and address:

Director, Bureau of Program Operations,
6401 Security Boulevard,
Baltimore, Maryland 21235.

Notification procedure: Inquiries and requests for system records should be addressed to the Health Care Financing Administration, Bureau of Program Operations, Office of Methods and Systems, Division of Eligibility Systems, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on medicare record.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).))

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The identifying information contained in these records is obtained from third-party agencies, the Master Beneficiary Record, and the Health Insurance Master Record.

Systems exempted from certain provisions of the act: None.

09-70-0506

System name: Group Health Plan System HEW, HCFA, BPO.

Security classification: None.

System location:

Health Care Financing Administration,
Bureau of Support Services,
6401 Security Boulevard,
Baltimore, Maryland 21235.

Categories of individuals covered by the system: Recipients of Part A (Hospital Insurance) and Part B (supplementary medical) Medicare services.

Categories of records in the system: The system contains information about a beneficiary's health insurance entitlement and supplementary medical benefits usage.

Authority for maintenance of the system: Sections 1833(a)(1)(A), 1866 and 1876 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and paper listing.

Retrievability: The system is indexed by health insurance claim number.

Safeguards: Only authorized personnel have direct access to information in the Group Health Plan system. In addition, Group Health Plan personnel are advised that information is confidential.

Retention and disposal: Health insurance materials used to support the accuracy of the charge per service billed by the plan are retained for 3 years, then destroyed.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the Health Care Financing Administration, Bureau of Program Operations, Group Health Plan Operations Staff, Baltimore, Maryland 21235. The individuals should furnish his or her health insurance claim number as shown on social security records.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).))

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The identifying information contained in these records is obtained from the group health plans (which obtained the data from the individual concerned).

Systems exempted from certain provisions of the act: None.

09-70-0507

System name: Health Insurance Utilization Microfilm HEW, HCFA, BPO.

Security classification: None.

System location:

Health Care Financing Administration
Bureau of Support Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Records are maintained of all transactions for individuals who are entitled or have been entitled to Medicare benefits.

Categories of records in the system: The system contains transactions accepted or rejected, and the reason for such rejection. Transactions are maintenance type as well as utilization.

Authority for maintenance of the system: Section 1814 and 1833 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfilm.

Retrievability: The system is indexed by health insurance claim number. It is used primarily to document the Health Insurance master file and to respond to inquiries. The Health Insurance Utilization Microfilm is the history (audit) trail of Health Insurance/Supplementary Medical Insurance.

Safeguards: Requests for microfilm must be submitted to the Bureau of Data Processing.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Maryland 21235. The

individual should furnish his or her health insurance claim number and name as shown on social security records.

Record access procedures: The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office (see Appendix F), or from the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Maryland 21235. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Sec. 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The identifying information contained in these records is obtained by the provider of services from the individual, from the individual himself or herself, or from suppliers of services (e.g., physicians).

Systems exempted from certain provisions of the act: None.

09-70-0508

System name: Reconsideration and Hearing Case Files (Part A) Hospital Insurance Program HEW, HCFA, BPO

Security classification: None.

System location:

Health Care Financing Administration
Bureau of Program Operations, Office of Standards and
Performance Evaluation, Division of Reimbursement,
Recovery and Reconsideration Evaluation, Reconsideration
Evaluation Branch,
Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals dissatisfied with an initial determination as to the amount of benefits payable on the beneficiary's behalf under the hospital insurance program who have filed either an expressed or implied request for reconsideration.

Categories of records in the system: Reconsideration development and case summary; Part A—review action; complaint sheet; HA-501, Request for Hearing; SSA-561 Request for Reconsideration; and comparable forms and evidence furnished by beneficiaries or their representatives, intermediary action, correspondence, Social Security Administration determination, Administrative Law Judges' decisions, original bills, Appeals Council decisions and related correspondence.

Authority for maintenance of the system: Sections 1812, 1814, 1816, and 1869 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file cabinets.

Retrievability: The system is indexed by health insurance claim number.

Safeguards: The file is closed to unauthorized personnel. Disclosure of records is limited to routine uses.

Retention and disposal: Records are placed in inactive file when final action is taken on the case and closed out at the end of the calendar year in which final action was taken. They are held 2 additional years, transferred to the Federal Records Center and destroyed after 5 years.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the Health Care Financing Administration, Bureau of Program Operations. The individual should furnish his or her health insurance claim number and name as shown on social security records. The individual can obtain information on the procedures for gaining access to and contesting records from the most convenient social security office or from the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Maryland 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The information contained in these records is furnished by the beneficiary, his representative, or other person requesting a review of the claim and from the reviewing authority (the supplementary health insurance carrier).

Systems exempted from certain provisions of the act: None.

09-70-0509

System name: Medicare Beneficiary Correspondence Files HEW, HCFA, BPO

Security classification: None.

System location:

Health Care Financing Administration
Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235
Health Care Financing Administration
Bureau of Support Services
6401 Security Boulevard
Baltimore, Maryland 21235

All Health Insurance Regional Offices (see Appendix C, Section 2).

Intermediaries and carriers (see Appendix C, Sections 3 and 4).

Categories of individuals covered by the system: Beneficiaries and others who correspond with the Health Care Financing Administration, Bureau of Program Operations or Bureau of Support Services and/or its carriers and intermediaries.

Categories of records in the system: Correspondence containing inquiries, complaints, or suggestions received by the Social Security Administration district offices, Central Office, regional offices, intermediaries, and carriers, and Medicare Regional Offices, and Health Care Financing Administration central office.

Authority for maintenance of the system: Section 1874 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file cabinets.

Retrievability: The system is indexed by health insurance claim number. If the correspondent has not furnished his claim number, the correspondence is filed alphabetically, using the last name of the correspondent. It is used to control correspondence in connection with Medicare.

Safeguards: The file area is closed to unauthorized personnel.

Retention and disposal: Correspondence is destroyed 1 year after the close of the year in which the records are dated; except where records are required to document a specific claim, reconsideration, appeal, or similar case, the files are treated in accordance with the instructions for the specific file.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and request for records should be directed to the same address as that with which the correspondence was initiated. The individual can obtain information on the procedures for gaining access to and contesting records from the Health Care Financing Administration, Bureau of Program Operations, Baltimore, Maryland 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The initial correspondence in these records is prepared by the beneficiary or other inquiries; the response is prepared by the appropriate Health Care Financing Administration component.

Systems exempted from certain provisions of the act: None.

09-70-0510

System name: Alphabetical Name File (folder) of Health Insurance Program Consultants HEW, HCFA, BPO.

Security classification: None.

System location:

Health Care Financing Administration
Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals who have contracted to provide consultant services to the Administration.

Categories of records in the system: Each folder contains the consultant's name, social security number, mailing address, city and state, ZIP Code. Total amount of the consultant's contract and the amount of money billed each month for his service.

Authority for maintenance of the system: Social Security Act, Section 1874(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Folder.

Retrievability: Name—Comparing actual expenditures against budget.

Safeguards: Office is locked during nonworking hours.

Retention and disposal: Retain 1 year, then discard.

System manager(s) and address:

Health Care Financing Administration
Office of Management and Budget
Office of Human Resources and Administrative Services
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for systems records should be addressed to the social security office nearest the requester's residence (see Appendix F) the appropriate intermediary, the Medicare Bureau Regional Office, or to the Health Care Financing Administration, Office of Management and Budget, Office of Human Resources and Administrative Services, Baltimore, Md. 21235. The individual should furnish his or her health insurance number and name as shown on social security records. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Health Care Financing Administration, Office of Management and Budget, Office of Human Resources and Administrative Services; copy of original contract: amount of consultants' billings per month from the consultant.

Systems exempted from certain provisions of the act: None.

09-70-0511

System name: Medicare Benefit Check Records HEW, HCFA, BPO
Security classification: None.

System location: Intermediaries and carriers (see Appendix C, Sections 3 and 4).

Categories of individuals covered by the system: Beneficiaries, physicians, providers, and suppliers of services under Medicare.

Categories of records in the system: Cancelled checks that have been paid to beneficiaries, physicians, providers, and suppliers of services under Medicare.

Authority for maintenance of the system: Sections 1816, 1842, and 1874 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cancelled check files.

Retrievability: Indexed by health insurance claim number. The cancelled checks are retained by the carriers and intermediaries to establish that payment has been made.

Safeguards: The file area is closed to unauthorized personnel.

Retention and disposal: Closed out at the end of the calendar year in which paid or voided, held 1 additional year and transferred to Federal Records Center. Destroyed after 5 years retention there.

System manager(s) and address:

Director Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for cancelled or voided check information should be directed to the most convenient social security office (see Appendix F), or to the carrier or intermediary who made the payment.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR Section 5b.7).)

Record source categories: The checks originate in the offices of the carriers and intermediaries to which they are returned after having been negotiated.

Systems exempted from certain provisions of the act: None.

09-70-0512

System name: Review and Fair Hearing Case Files—Supplementary Medical Insurance Program HEW, HCFA, BPO

Security classification: None.

System location: Carriers (see Appendix C, Section 4).

Categories of individuals covered by the system: Beneficiary, physician, provider or other supplier of service who is dissatisfied with the carrier's determination denying a request for payment, or with the amount of the payment or with the length of time being taken to process the claim for payment.

Categories of records in the system: Claimants' requests for review, relevant written statement or evidence, notice of adverse informal review decisions, requests for hearings to protest adverse decisions, hearings proceedings, hearings officers' final decisions and comparable papers.

Authority for maintenance of the system: Sections 1812 and 1842 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file cabinets.

Retrievability: The records are indexed by health insurance claim number.

Safeguards: Disclosure of records is limited to routine uses. The files are closed to unauthorized personnel.

Retention and disposal: Records are closed out at the end of the calendar year in which the action (reconsideration, hearing, court review) is completed, held 2 more years, transferred to Federal Records Center and destroyed after another 6 years.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for records should be directed to the most convenient social security office or to the Health Care Financing Administration, Bureau of Program Operations, Office of Standards and Performance Evaluation, Division of Reimbursement, Recovery, and Reconsideration Evaluation, Reconsideration Evaluation Branch, Baltimore, Maryland 21235. The individual should furnish his or her health insurance claim number and name as shown on social security records. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR Section 5b.7).)

Record source categories: The information contained in these records is furnished by the beneficiary requesting reconsideration or his authorized representative and from the reviewing authority.

Systems exempted from certain provisions of the act: None.

09-70-0513

System name: Explanation of Medicare Benefit Records HEW, HCFA, BPO

Security classification: None.

System location: Intermediaries and carriers (see Appendix E, Sections 3 and 4).

Categories of individuals covered by the system: All recipients of Medicare services and supplies.

Categories of records in the system: Medicare hospital insurance benefits record; Part B home health benefits record; Medicare hospital insurance benefits record. These are notices of utilization and explanation of Medicare benefits. They also advise beneficiaries of remaining hospital insurance benefits and the hospital and supplementary medical deductible status.

Authority for maintenance of the system: Sections 205, 226, 1811, and 1832 of Title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Copies of forms sent to beneficiaries are retained in file cabinets.

Retrievability: The records are indexed by health insurance number. These records are used to advise the beneficiary of the payments made on his or her behalf and where applicable, the benefits remaining.

Safeguards: Disclosure of records is limited. The file area is closed to unauthorized personnel.

Retention and disposal: Closed out at the end of the year in which the benefit was paid or denied; held 1 year, transferred to the Federal Records Center where record is destroyed after 5 years.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for system records should be addressed to the most convenient social security office (see Appendix F), or to the carrier or intermediary who issued the notice.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The identifying information is furnished by the beneficiary when requesting payment; the medical procedures are furnished by the physician or provider and the amount of payment and remaining benefits are furnished by the intermediary or carrier.

Systems exempted from certain provisions of the act: None.

09-70-0514

System name: Payment Record File of Supplementary Medical (Medicare) Enrollees (Statistics) HEW, HCFA, BPO

Security classification: None.

System location:

Health Care Financing Administration
Bureau of Support Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Supplemental medical (Medicare) enrollees who have met the deductible in any calendar year and have supplemental medical reimbursement, beginning July 1, 1966.

Categories of records in the system: Beneficiary demographic characteristics, physician and supplier billing information, including charges and amount reimbursed; physician characteristics.

Authority for maintenance of the system: Section 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: All records are indexed by health insurance claim number. They are recorded in segments based on month they were processed.

Safeguards: All magnetic tape files are retained in security storage areas accessible only to authorized persons within the Bureau of Data Processing. Data are accessible only to individuals within the Division of Health Insurance Studies. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: Records are retained with identifiers as long as needed for purposes of program research.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: For purposes of access, write to the systems manager; he will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex, and to ascertain whether the individual's records is in the system, year Part B deductible was met.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Medicare, enrollment, Medicare payment record.

Systems exempted from certain provisions of the act: None.

09-70-0515

System name: Chronic Renal Disease Beneficiary History File HEW, HCFA, BPO.

Security classification: None.

System location:

Health Care Financing Administration, Bureau of Support Services

6401 Security Boulevard (magnetic tape)
Baltimore, Maryland 21235

Office of Research, Demonstrations, and Statistics
1500 Woodlawn Drive (hard copy)
Baltimore, Maryland 21241.

Categories of individuals covered by the system: All individuals with identified end-stage renal disease with Medicare coverage.

Categories of records in the system: Health and supplemental medical Medicare billing information, including charges and amounts reimbursed; physician characteristics; demographic data on beneficiaries; medical data.

Authority for maintenance of the system: Section 1875 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operation of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records stored on magnetic tape with a hard copy back-up also available.

Retrievability: All records are indexed by health insurance claim number.

Safeguards: All magnetic tape files are retained in secure storage areas accessible only to authorized persons within the Bureau of Support Services. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. Hard copy records are stored in secure areas with access limited to authorized individuals.

Retention and disposal: Records are retained with identifiers as long as need for purposes of program research.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: For purposes of access, write the systems manager; he will require name of system, health insurance claim number, and for verification purposes, name (woman's maiden name, if applicable), social security number, address, date of birth and sex, and to ascertain whether the individual's record is in the system, date (month and year) on which treatment cost were first reimbursed under Medicare. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with the Department Regulations (45 CFR Section 5b.7).)

Record source categories: Master beneficiary record; Medicare enrollment records; Medicare bill records; Medicare payment records.

Systems exempted from certain provisions of the act: None.

09-70-0516

System name: Medicare Physician Supplier Master File HEW, HCFA, BPO.

Security classification: None.

System location: Carriers under contract to the Health Care Financing Administration and the Social Security Administration. (See Appendix C, Section 4.)

Categories of individuals covered by the system: Physicians and suppliers who provide medical services or supplies to Medicare beneficiaries.

Categories of records in the system: A compilation of all charges submitted by a physician or supplier for services and supplies to: (1) derive "reasonable charge" information; (2) determine economic indexes; and (3) to substantiate the basis for payment to beneficiaries, physicians, suppliers and hospitals.

Authority for maintenance of the system: Sections 1833, 1835, 1842 and 1874 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records from this system may be disclosed to a provider, the claimant or a prospective claimant, the name of a physician who has been found ineligible to submit claims under Section 1814(h) (Payment for Posthospital Extended Care Services) or Section 1814(i) (Payment for Posthospital Home Health Services) of Title XVIII of the Social Security Act. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Disclosure may be made to the title XIX State agency or the title XIX fiscal agents of the customary and prevailing charge screens and whatever other information is contained in the file and would be required to determine "reasonable charges" as required under section 1903(i)(1) of the Social Security Act. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, microfilm, and hard copy paper.

Retrievability: The records are indexed by physician provider numbers and supplier EIN (employer's identification number). The records are prepared and updated daily by carriers as a basis for determining reasonable charges and area prevailing charges.

Safeguards: Disclosure of records is limited to carrier personnel on a need-to-know basis. The files are closed to unauthorized personnel. The determination as to which personnel are authorized will vary slightly in different carrier installations. All carriers have guards at the building entrance to prevent intrusion by individuals not employees or not having business with the carrier. One or more of the following security measures are used within the building: color coded identification cards are used to establish the right of an employee to be in a specific area; cipher locks are used to protect files and computer areas; magnetic identification cards are used to gain access to security sensitive areas; video monitoring of sensitive areas is constant.

Retention and disposal: Records are closed out the first quarter following the close of the previous calendar year. Files are retained indefinitely.

System manager(s) and address:

Director, Bureau of Program Operators
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquires and requests for records information should be directed to the carrier servicing the physician's or supplier's geographical area. Individuals who want to determine if they have a record in this system must provide their full name and address.

Record access procedures: Disclosure may be made in a congressional office from the record of an individual in response to an

inquiry from the congressional office made at the request of that individual.

Contesting record procedures: In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Record source categories: Information contained in these records is furnished in part by the individual physician or supplier and in part abstracted from Medicare Part B billing records.

Systems exempted from certain provisions of the act: None.

09-70-0517

System name: Physician/Supplier 1099 File (Statement for Recipients of Medical and Health Care Payments) HEW, HCFA, BPO.

Security classification: None.

System location: Carriers and intermediaries under contract to the Health Care Financing Administration and the Social Security Administration (see Appendix C, Section 3, and Section 4.)

Categories of individuals covered by the system: Physician/suppliers to whom Medicare payments have been made by carriers of intermediaries.

Categories of records in the system: A record of total Medicare payments made to physicians and suppliers during each calendar year. It contains the name, address and social security number of the physician/provider number of supplier EIN (employer identification number).

Authority for maintenance of the system: 26 U.S. Code 6041 (Internal Revenue Code).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This record is disclosable to the Internal Revenue Service in connection with the determination of the individual's self-employment income. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape and paper.

Retrievability: The system is indexed by physician/provider numbers and supplier EIN (employer's identification numbers).

Safeguards: Records are maintained in secure storage areas accessible only to authorized personnel.

Retention and disposal: The records are retained for 5 years.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for systems records should be directed to the intermediary or carrier who made Medicare payments to the physician/supplier.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: The record of total annual payments made to each physician/supplier is derived from the individual Medicare bill payments.

Systems exempted from certain provisions of the act: None.

09-70-0518

System name: Medicare Clinic Physician Supplier Master File, HEW, HCFA, BPO.

Security classification: None.

System location: Carriers under contract to the Health Care Financing Administration and the Social Security Administration. (See Appendix C, Section 4.)

Categories of individuals covered by the system: Physicians and suppliers in a clinic who provide medical services or supplies to Medicare beneficiaries.

Categories of records in the system: A compilation of all charges submitted by a clinic physician or supplier for services or supplies to (1) derive "reasonable charge" information; (2) determine economic indexes; and (3) to substantiate the basis for payment to beneficiaries, physicians suppliers, and hospitals.

Authority for maintenance of the system: Sections 1833, 1835, 1842 and 1874 of title XVIII of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Professional Standards Review Organizations and State Licensing Boards for review of unethical practices or nonprofessional conduct; contractors under contract to HCFA and SSA for the performance of specific research and statistical activities directly relating to the Social Security Act; HCFA health insurance program review teams. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, microfilm, and hard copy paper.

Retrievability: The records are indexed for individual identification by clinic physician provider numbers and supplier EIN (employer's identification number). The records are prepared and updated daily by carriers as a basis for determining reasonable charges and area prevailing charges.

Safeguards: Disclosure of records to carrier personnel is limited to a need-to-know basis. The files are closed to unauthorized personnel. The determination as to which personnel are authorized will vary slightly in different carrier installations. All carriers have guards at the building entrance to prevent intrusion by individuals not employees or not having business with the carrier. One or more of the following security measures are used within the building: Color coded identification cards are used to establish the right of an employee to be in a specific area; cipher locks are used to protect files and computer areas; magnetic identification cards are used to gain access to security sensitive areas; videomonitoring of sensitive areas is constant.

Retention and disposal: Records are closed out the first quarter following the close of the previous calendar year. Files are retained indefinitely.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries and requests for records information should be directed to the carrier servicing the clinic physician's or supplier's geographical area. Individuals who want to determine if they have a record in this system must provide their full name and address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5 and 5b.6).)

Contesting record procedures: Contact the official at the address specified under System Manager above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations, 45 CFR Section 5b.7.)

Record source categories: Information contained in these records is furnished in part by the individual clinic physician or supplier and in part abstracted from Medicare part B billing records.

Systems exempted from certain provisions of the act: None.

System name: End Stage Renal Disease (ESRD) Medical Information System (Registry) HEW, HCFA, BPO.

Security classification: None.

System location:

Health Care Financing Administration Bureau of Support
Services
Office of Administrative Systems Division of Program
Management Systems
ESRD Systems Branch
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals receiving, ESRD Medicare Benefits including successful kidney transplant patient three year post-surgery.

Categories of records in the system: (1) Health and medical records data (2) VA Patients (3) Successful transplant patients beyond three year entitlement.

Authority for maintenance of the system: Sections 226A and 1881 of the Social Security Act (42 U.S.C. 426-1 and 1395rr.).

1) Development and support for improved Federal ESRD activities; coordination and monitoring of Federal-State ESRD programs; support for State and local ESRD program activities; review of appropriateness of care and services provided to ESRD patients; assurance that all identified and potential patients have access to necessary services; review of quality of care being provided to ESRD patients; planning for ESRD services and facilities and determination that existing services and facilities are effectively utilized; support for organizations and institutions conducting ESRD research and providing services to ESRD patients; projection of equipment and supply requirements for ESRD patients. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. See Appendix B of the Department Regulations (45 CFR, Part 5b), items 3, 9, 101, and 102.

2) Purpose: To meet and operationalize statutory requirements of Sec. 2991, P.L. 92-603; to support State and local ESRD programs and legislative requirements; to support non-Federal research and service programs and effective State, local and other planning activities.

3) Users: Local Medical Review Boards; ESRD Network Coordinating Councils; organizations and institutions conducting ESRD research and providing services to ESRD patients; State and local governments; other Federal agencies involved in ESRD activities (Department of Defense, Veterans Administration and Office of Management and Budget); equipment manufacturers and suppliers.

4) Disclosures may be made to: a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual; in accordance with the following numbered items in Appendix B of Department regulations (42 CFR Part 5b):

5) To individuals and organizations, deemed qualified by the Health Care Financing Administration to carry out specific research solely for the purpose of carrying such research.

6) To organizations deemed qualified by the Health Care Financing Administration to carry out quality assessment, medical audits of utilization review. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and disc, hard copy forms, microfilm (anticipated).

Retrievability:

HEW uses:

1) **Uses:** Program monitoring, planning and evaluation; support for clinical studies and infection control programs; validation of accuracy of reported information; respond to Congressional inquiries; budget preparation; support for local review Boards and ESRD Councils; support for quality of ESRD card review, support for patient rehabilitation programs; support for Federally operated dialysis and transplant services and programs.

2) **Purpose:** To meet statutory requirements of Sec. 2991, P.L. 92-603 and P.L. 95-292 and requirements of DHEW regulations and policies.

3) **Users:** All DHEW units involved in the operation, evaluation and support of the national ESRD program including; Health Services Administration, Health Resources Administration; Social Security Administration, National Institutes of Health; Center for Disease Control.

4) **Retrievability:** Data indexed by Health Insurance Claim number, patient name and facility number. Individual patient and statistical data provided to Health Care Financing Administration, the National Institutes of Health and local Medical Review Boards, statistical data provided to other governmental units and the general public.

Safeguards: Restricted access to all areas where data are maintained and processed, hard copy data stored in locked files in secured area, terminal access controlled by user ID and keywords. Access to personal data restricted to those authorized to work with those data. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Hard copy retained 1 year; all other information, indefinitely. Hard copy destroyed by shredding; all other information, to be determined.

System manager(s) and address: Health Care Financing Administration

Office of End Stage Renal Disease
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Same as system manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (48 CFR Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Applications for Medicare, ESRD benefits, patient records at ESRD treatment facilities, Health Care Financing Administration Medicare Master Files

Systems exempted from certain provisions of the act: None.

09-70-0521

System name: Medicare Beneficiary Claims for Emergency Services
HEW, HCFA, BPO

Security classification: None.

System location:

Health Care Financing Administration
Bureau of Program Operations
Office of Standards and Performance Evaluation
Division of Reimbursement, Recovery, and Reconsideration
Evaluation
Reconsideration Evaluation Branch,
6401 Security Boulevard
Baltimore, Md. 21235

Categories of individuals covered by the system: Medicare beneficiaries who file for Medicare Part A emergency claim reconsideration desiring coverage of nonparticipating hospital charges.

Categories of records in the system: Medical information and associated charge data.

Authority for maintenance of the system: Social Security Act Sections 1814 (d) and (f) U.S.C. 1395f (d) and (f).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made in accordance with Appendix B of the Departmental Regulations (45 CFR, Part 5b) item 3: In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, log book—in emergency claims file drawers.

Retrievability:

HEW uses:

1) **Uses:** Track file folders (which include Medicare emergency claims with associated medical record information) received from and returned to Health Care Financing Administration, Medicare Bureau regional offices; maintain sufficient information to indicate the decisions and rationale to handle future inquiries and coordinate handling of subsequent claims by the same beneficiary for other emergency service claims; identify problems which can be corrected administratively. The Public Health Service regional offices handle the information file folders on initial consideration of the claims. Copies of documentation of case and claim decision are returned with the information file folders for both PHS and HCFA regional offices, to indicate the claim decision and justification for the decision.

2) **Purpose:** Determine whether services were medically necessary on an immediate emergency basis.

3) **Users:** Information is used by fiscal intermediaries for the Medicare Program to reimburse hospitals and beneficiaries. Both information files and the documentation of case and claim decision are used by Administrative Law Judges in cases of claims appeals.

4) **Retrievability:** Beneficiary name, health insurance claim number, name of hospital and dates of services appear in all categories of records (information file folders which include Medicare emergency claims with associated medical record information; documentation of case and claim decision; claims review status log), and are used to identify an individual's specific claim. All records are kept in the emergency claim file drawers. The information file folders and entries in the log are in the order of receipt in the office. The documentation of case and decision are alphabetized by name.

Safeguards: Records are in locked file drawers. Personnel are instructed on information confidentiality. Access to claim folders restricted to authorized personnel.

Retention and disposal: Number of years held at HCFA: information file folders are held one week to six months before being returned to originating source. Other records kept indefinitely. Number of years held at Federal Records Center before disposal: not applicable.

System manager(s) and address:

Director, Bureau of Program Operations
6401 Security Blvd.
Baltimore, Md. 21235

Notification procedure: Same as system manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

ance with Department Regulations (45 CFR, Section 5b.6). Federal Register, October 8, 1975, page 47411.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Medicare claim forms and supporting information; portions of medical records from nonparticipating hospitals; other pertinent medical and emergency room records; physician statements; statements of HEW personnel authorized to handle the claims; information and requests from representatives of the beneficiaries for reconsideration of claims decisions.

Systems exempted from certain provisions of the act: None.

09-70-1503

System name: Cytotechnologists Proficiency Answer Sheets and Test Results (Medicare) HEW/HCFR/HSQB.

Security classification: None.

System location:

Test Results:
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

and Regional Federal Records Center

Answer Sheets:

Professional Examination Service
475 Riverside Drive
New York, N.Y. 10029

Categories of individuals covered by the system: Cytotechnologists.

Categories of records in the system: Answer Sheets. Examination scores.

Authority for maintenance of the system: Social Security Act Sections 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Uses outside HEW:

(1) **Uses**—Lists showing by States the names and addresses of individuals who passed or failed are sent to the HCFA Regional Director. They are instructed to make the lists available to the appropriate State Health Department. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual; and in accordance with item 3 in Appendix B of Department regulations (42 CFR Part 5b). In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(2) **Purpose**—These answer sheets indicate examination results and the lists indicate only pass or fail, and are used to advise an individual who failed the exam when the next examination will be given.

(3) **Users**—State Health Department.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer generated listings are filed by discipline, by State, in file folders.

Retrievability:

(1) **Uses**—Answer sheets are retained for revalidation and one record of all examinees is maintained for the purpose of responding to an individual examinee.

(2) **Purpose**—(1) **Pass**—To re-issue a new card to those who pass, for reasons they have lost their card, or have changed their name (upon written request). (2) **Fail**—To re-advise what their scores were by subject upon written request, or when they can take the next examination.

(3) **Users**—Systems Manager and project officers.

(4) **Retrievability**—Listings and answer sheets are by examination, State, examinee's name and address, and examination number.

Safeguards: Files are maintained in a combination lock file cabinet, in a secured building. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Lists are to be retained through FY 1981. They will then be filed at Federal Records Center for a period of three years. If at the expiration of that time the records are no longer of use, FRC will be authorized to destroy by incineration or shredding. Answer sheets are retained until completion of contract and then destroyed.

System manager(s) and address:

Director, Health Standards & Quality Bureau
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Scored examinations.

Systems exempted from certain provisions of the act: None.

09-70-1504

System name: Physical Therapists Proficiency Answer Sheets and Test Results (Medicare) HEW/HCFR/HSQB

Security classification: None.

System location:

Test Results:
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207
and Regional Federal Records Center.

Answer Sheets:

Psychological Corporation
757 3rd Avenue
New York, N.Y. 10017

Categories of individuals covered by the system: Physical Therapists.

Categories of records in the system: Answer Sheets. Examination scores.

Authority for maintenance of the system: Social Security Act Section 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Answer sheets are used to score results of the examination and if applicable to revalidate results. Lists showing by States the names and addresses of individuals who passed or failed are sent to Regional Health Care Financing Administrators. HCFA Regional Offices. They are instructed to make the lists available to the appropriate State Health Department. Pursuant to Department Regulations (42 CFR 5b) Appendix B, Item (3): In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual in the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity (b) the United States where the Department determines that the claim, if successful, is likely to directly

affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer generated listings are filed by discipline, by State, in file folders.

Retrievability:

(1) **Uses**—Answer sheets are retained for revalidation and one record of all examinees is maintained for the purpose of responding to an individual examinee.

(2) **Purpose**—(a) To reissue a new card to those who pass, for reasons such as change of a name or loss of a card, upon written request; (b) To provide information to examinees concerning their test results, upon written request.

(3) **Users**—Systems Manager and project officer.

(4) **Retrievability**—Listings and answer sheets are by examination, State, examinee's name and address, and examination number.

Safeguards: Files are maintained in a combination lock file cabinet, in a secured building. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used limiting access to authorized personnel.

Retention and disposal: Lists are to be retained through FY 1981. They will then be filed at Federal Records Center for a period of three years. If at the expiration of that time the records are no longer of use, FRC will be authorized to destroy by incineration or shredding. Answer sheets are retained until completion of contract and then destroyed.

System manager(s) and address:

Director, Health Standards and Quality Bureau
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Scored Examinations.

Systems exempted from certain provisions of the act: None.

09-70-1505

System name: Psychiatric Technician Proficiency Answer Sheets and Test Results (Medicare) HEW/HCFA, HSQB

Security classification: None

System location:

Test Results:

Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207
and Regional Federal Records Center

Answer Sheets:

National League of Nursing
10 Columbus Circle
New York, N.Y. 10019

Categories of individuals covered by the system: Psychiatric technicians.

Categories of records in the system: Answer Sheets Examination scores.

Authority for maintenance of the system: Social Security Act Section 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) **Uses**—Lists showing by States the names and addresses of individuals who passed or failed are sent to Director, Health Standards Quality Bureau. They are instructed to make the lists available to the appropriate State Health Department. Pursuant to Department

regulations (42 CFR Part 5b) Appendix B, Item (3): In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(2) **Purpose**—These answer sheets indicate examination results and the lists indicate only pass or fail, and are used to advise an individual concerning his or her test results, upon written request.

(3) **Users**—State Health Department.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer generated listings are filed by discipline, by State, in file folders.

Retrievability:

(1) **Uses**—One record of all examinees is maintained for the purpose of responding to an individual examinee and answer sheets are retained for revalidation.

(2) **Purpose**—(1) **Pass**—to re-issue a new card to those who pass, for reasons they have lost their card, or have changed their name (upon written request). (2) **Fail**—re-advise what their scores were by subject upon written request.

(3) **Users**—Systems Manager and project officer.

(4) **Retrievability**—Listings and answer sheets are by examination, State, examinee's name and address, and examination number.

Safeguards: Files are maintained in a combination lock file cabinet in a secured building. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Lists are to be retained through FY 1981. They will then be filed at Federal Records Center for a period of three years. If at the expiration of that time the records are no longer of use, FRC will be authorized to destroy by incineration or shredding.

System manager(s) and address:

Director, Health Standards and Quality Bureau
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Scored Examinations.

Systems exempted from certain provisions of the act: None.

09-70-1506

System name: Clinical Laboratory Technologists Proficiency Answer Sheets and Test Results (Medicare) HEW/HCFA/HSQB.

Security classification: None.

System location:

Test Results:

Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207
and Regional Federal Records Center

Answer Sheets:

Professional Examination Service

475 Riverside Drive
New York, New York 10027

Categories of individuals covered by the system: Clinical laboratory technologists.

Categories of records in the system: Answer sheets. Examination scores.

Authority for maintenance of the system: Social Security Act Section 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Answer sheets are used to score results and if applicable to revalidate results. Lists showing by States the names and addresses of individuals who passed or failed are sent to the Health Care Financing Regional Director. They are instructed to make the lists available to the appropriate State Health Department. Pursuant to Department regulations (42 CFR 5b) Appendix B, Item (3): In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer generated listings are filed by discipline, by State, in file folders.

Retrievability:

(1) **Uses**—One record of all examinees is maintained for the purpose of responding to an individual examinee and answer sheets are retained for revalidation.

(2) **Purpose**—(a) To reissue a new card to those who pass, for reasons such as change of a name or loss of a card, upon written request; (b) To provide information to examinees concerning their test results, upon written request.

(3) **Users**—Systems Manager and project officers.

(4) **Retrievability**—Listings and answer sheets are by examination, State, examinee's name and address, and examination number.

Safeguards: Files are maintained in a combination lock file cabinet, in a secured building. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Lists are to be retained through FY 1981. They will then be filed at Federal Records Center for a period of three years. If at the expiration of that time the records are no longer of use, FRC will be authorized to destroy them by incineration or shredding.

System manager(s) and address:

Director, Health Standards and Quality Bureau
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Scored Examinations.

Systems exempted from certain provisions of the act: None.

03-70-1507

System name: Waivered Licensed Practical Nurse Proficiency Exam Answer Sheets and Test Results (Medicare) HEW/HCF/A/HSQB.

Security classification: None.

System location:

Test Results:

Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207
and Regional Federal Records Center
Answer Sheets:
National League of Nursing
10 Columbus Circle
New York, New York 10019

Categories of individuals covered by the system: Licensed Practical Nurses.

Categories of records in the system: Answer sheets. Examination scores.

Authority for maintenance of the system: Social Security Act Section 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) **Uses**—Answer sheets are used to score results of the examination and if applicable to revalidate results. Lists showing by States the names and addresses of individuals who passed or failed are sent to the Regional Health Care Financing Administrators, HCFA, Regional Offices. They are instructed to make the lists available to the appropriate State Health Department. Pursuant to Department regulations (42 CFR 6b) Appendix B, Item (3): In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(2) **Purpose**—These answer sheets indicate examination results and the lists indicate only pass or fail, and are used to advise an individual concerning his or her test results, upon written request.

(3) **Users**—State Health Department.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer generated listings are filed by discipline, by State, in file folders.

Retrievability:

(1) **Uses**—One record of all examinees is maintained for the purpose of responding to an individual examinee and answer sheets are retained for validation.

(2) **Purpose**—(1) **Pass**—to re-issue a new card to those who pass, for reasons they have lost their card, or have changed their name (upon written request). (2) **Fail**—re-advise what their scores were by subject upon written request.

(3) **Users**—Systems Manager and project officers.

(4) **Retrievability**—Listings and answer sheets are by examination, State, examinee's name and address, and examination number.

Safeguards: Files are maintained in a combination lock file cabinet, in a secured building. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Lists are to be retained through FY 1981. They will then be filed at Federal Records Center for a period of three years. If at the expiration of that time the records are no longer of use, FRC will be authorized to destroy them by incineration or shredding. Answer sheets are retained until completion of contract and then destroyed.

System manager(s) and address:

Director, Health Standards and Quality Bureau
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as system manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Scored examinations.

Systems exempted from certain provisions of the act: None.

09-70-1508

System name: Independent Laboratory Directors Proficiency Answer Sheets and Exam Results (Medicare). HEW/HCFA/HSQB.

Security classification: None.**System location:**

Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207
and Regional Federal Records Center

Categories of individuals covered by the system: Independent laboratory directors.

Categories of records in the system: Examination scores. Answer Sheets.

Authority for maintenance of the system: Social Security Act Section 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) **Uses**—Lists showing by states the names and addresses of individuals who passed or failed examinations were made available to the appropriate State Health Department. Pursuant to Department regulations (42 CFR 5b), Appendix B, Item (3): In the event the Department deems it desirable or necessary in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosures may be made to the Department of Justice for the purpose of obtaining its advice. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected. (2) **Purpose**—Lists indicated only pass or fail, and were used to advise an individual who failed the exam when the next examination would be given. (3) **Users**—State Health Department. Because of the length of time that has elapsed since the last examination was given in 1970, it is not known if State Health Departments still retained unscored records of examinees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer generated listings are filed by discipline, by State, in file folders.

Retrievability: Retrievability—Listings are by examination, State examinee's name and address, and examination number. (1) **Uses**—One record of all examinees is maintained for the purpose of responding to an individual examinee. (2) **Purpose**—(1) **Pass**—to reissue a new card to those who pass, for reasons they have lost their card, or have changed their name (upon written request) (2) **Fail**—re-advise what their scores were by subject upon written request. (3) **Users**—Systems Manager and project officers.

Safeguards: Files are maintained in a combination lock file cabinet, in a secured building. For computerized records, safeguards established in accordance with Department standards and National Bureau

of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Lists are to be retained through FY 1981. They will then be filed at Federal Records Center for a period of three years. If at the expiration of that time the records are no longer of use, FRC will be authorized to destroy by incineration or shredding.

System manager(s) and address:

Director, Health Standards and Quality Bureau
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Scored Examinations.

Systems exempted from certain provisions of the act: None.

09-70-1509

System name: Complaint Files on Nursing Homes. HEW/HCFA/HSQB/DLT.

Security classification: None.**System location:** Boston

Health Standards and Quality Bureau, HCFA
DHEW Region I, Room 1203
John F. Kennedy Federal Office Building
Boston, Massachusetts 02203

New York

Health Standards and Quality Bureau, HCFA
DHEW Region II, Room 3821
26 Federal Plaza
New York, New York 10007

Philadelphia

Health Standards and Quality Bureau, HCFA
DHEW Region III
P.O. Box 8450, 3535 Market Street
Philadelphia, Pennsylvania 19101

Atlanta

Health Standards and Quality Bureau, HCFA
DHEW Region IV, Room 523
101 Marietta Tower
Atlanta, Georgia 30323

Chicago

Health Standards and Quality Bureau, HCFA
DHEW Region V
175 West Jackson, Room 941
Chicago, Illinois 60604

Dallas

Health Standards and Quality Bureau, HCFA
DHEW Region VI, 23rd Floor
1200 Main Tower Building
Dallas, Texas 75202

Kansas City

Health Standards and Quality Bureau, HCFA
DHEW Region VII
601 East 12th Street
Kansas City, Missouri 64106

Denver

Health Standards and Quality Bureau, HCFA
DHEW Region VIII
1961 Stout Street
Denver, Colorado 80294

San Francisco

Health Standards and Quality Bureau, HCFA

DHEW Region IX, 20th Floor
100 Van Ness Avenue
San Francisco, California 94102

Seattle

Health Standards and Quality Bureau, HCFA
DHEW Region X, Arcade Plaza
1321 Second Avenue, Mail Stop 506
Seattle, Washington 98101

Categories of individuals covered by the system: Persons who make complaints on nursing homes certified under Titles XVIII (Medicare) and XIX (Medicaid) of the Social Security Act.

Categories of records in the system: Correspondence from complainant, copies of HEW response, or notation of referral to relevant State agency.

Authority for maintenance of the system: Sections 1861(j), 1864, and 1866 of Title XVIII and Sections 1902(a) (9), (26), (28), and (33) of Title XIX of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In accordance with Appendix B Departmental Regulations (45 CFR Part 5b) Item 05. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department of any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Indexed alphabetically by name of complainant. Used by staffs of the Office of Long Term Care Standards and Enforcement to answer correspondence, to check on complaints, and to initiate corrective action as necessary. Statistical information submitted to SSA, Baltimore.

Safeguards: Authorized personnel only.

Retention and disposal: Retained two years or until complaint file closed, whichever is longer. Destroyed by shredding or incinerating.

System manager(s) and address:

Director
Division of Long Term Care
Office of Standards and
Certification, HSQB
Dogwood East Building
1849 Gwynn Oak Avenue
Baltimore, MD 21207

Notification procedure: Same as above. Individual should contact Regional Office serving State in which nursing home about which a complaint was filed is located.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, page 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Letters from complainants; state agencies handling follow-up, staff investigative reports on nursing home.

09-70-1510

System name: Professional Qualification Files. HEW/HCFA/HSQB.

Security classification: None.

System location: (1) Regional Medicare Directors (See Appendix C, Sect. 2, Federal Register).

(2) The State Agencies listed below for the indicated file categories:

Department of Public Health

State Office Building
Montgomery, AL 36130 (1)(2)(9)

Department of Health and Social Services
Pouch H, Space 06-G
Juneau, AK 99811
(1)(2)

LBJ Tropical Medical Center
Government of American Samoa
Pago Pago, American Samoa 96799
(1)

Department of Health Services
1740 West Adams
Room 201
Phoenix AZ 85007
(1)(2)(3)

Bureau of Health Facilities Services
4815 West Markham
Little Rock, AR 72201
(1)(2)

Department of Health 2151 Berkeley Way Berkeley, CA 94704
(1)(3)

State Department of Health
4210 East 11th Street
Denver, CO 80220
(1)(2)(11)

State Department of Health
79 Elm Street
Hartford, CT 06115
(1)(16)

Division of Public Health
2634 Kirkwood Highway
Newark, DE 19711
(1)(2)(3)

Department of Health and Rehabilitative Services
P.O. Box 210
Jacksonville, FL 32201
(1)(3)

Standards and License Unit
618 Ponce de Leon Avenue, NE
Atlanta, GA 30308
(1)(2)(3)(8)

Department of Health and Social Services
P.O. Box 2816
Agana, Guam 96910
(1)

State Department of Health
P.O. Box 33787
Honolulu, HI 96801
(1)(3)(4)

Department of Health and Welfare
Statehouse
Boise, ID 83707
(1)(2)#

Office of Health Facilities and Quality of Care
525 West Jefferson Street
Springfield, IL 62706
(1)(2)

Medical Care Administration
1330 West Michigan
Indianapolis, IN 46202
(1)(2)

Division of Health Facilities
State Office Building
Des Moines, IA 50319
(1)(2)(3)(4)

State Department of Health and Environment

Topeka, KS 66620
(1)(2)

Louisiana Health and Human Resources Administration
P.O. Box 3767
Baton Rouge, LA 70821
(1)(2)(3)

Department of Human Services
221 State Street
Augusta, ME 04333
(1)(2)(3)

District Health Officer
Arman Ishoda Hospital
Majuro, Marshall Islands 96960
(1)

Department of Public Health
80 Boylston Street
Boston, MA 02116
(1)(2)

Division of Laboratory Improvement
3500 North Logan
Lansing, MI 48914
(1)(3)

Division of Health Facilities
717 Delaware Street SE
Minneapolis, MN 55440
(1)(2)(3)

State Board of Health
2423 North State Street
Jackson, MS 39205

State Division of Health
State Office Building
Jefferson City, MO 65102
(1)(3)

Department of Health and Environmental Services
Capitol Station
Helena, MT 59601
(1)(2)(4)(5)(6)(7)(8)(9)(12)(13)(14)

State Health Department
1000 O Street
Lincoln, NE 68508
(1)(2)

Bureau of Health Facilities
505 East King Street
Carson City, NV 89710
(1)(2)(3)(5)

Division of Public Health Services
61 South Spring Street
Concord, NH 03301
(1)(2)(3)

Department of Health
Room 401
Box 1540
Trenton, NJ 08625
(2)

State Health and Social Services Department
725 St. Michael's Drive
Santa Fe, NM 87503
(1)(2)(3)

Department of Health
Tower Building
Empire State Plaza
Albany, NY 12237
(1)(3)

State Department of Health
1200 Missouri Avenue
Room 302

Bismarck, ND 58508
(1)(2)(9)

Department of Health
450 East Town Street
Columbus, OH 43215
(1)(2)

Licensure and Certification Division
Northeast 10th and Stonewall
Oklahoma City, OK 73105
(1)(2)(3)

State Health Division
P.O. Box 231
Portland, OR 97207
(1)(2)

Office of Certification and Licensure of Health Facilities
Road No. 2
Bay Amon, P.R. 00619
(3)

Department of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201
(1)(2)(3)(7)(8)(10)(14)
Department of Public Health
Nashville, TN 37219

State Department of Health Resources
4902 Grover Street
Austin, TX 78756
(1)(2)(3)

Division of Health
44 Medical Drive Salt Lake City, UT 84113
(1)(2)(4)(5)(6)(7)(8)(9)(14)(15)

Department of Health
115 Colchester Avenue
Burlington, VT 05401
(1)(2)(4)(5)(6)(7)(8)(9)

Department of Health
James Madison Building
109 Governor Street
Richmond, VA 23219
(1)(2)(3)

Department of Social and Health Services
P.O. Box 1788
Olympia, WA 98504
(3)

State Health Department
601 Morris Street
Suite 305
Charleston, WV 25301
(1)(2)

Division of Health
One West Wilson Street
Madison, WI 53703
(1)(2)

Categories of individuals covered by the system: Certain professional individuals who are employed in hospitals and clinical laboratories, or who are self-employed providing therapy and medical services who have taken HEW proficiency examinations.

Categories of records in the system: The system contains information on the academic and experience qualifications and social security numbers of individuals working in hospitals or clinical laboratories; the names, addresses, and license numbers of professional self-employed persons providing therapy and other medical services and their eligibility to participate in the Medicare program; whether individuals who took HEW proficiency examinations have passed or failed. Records maintained differ from State to State. The State agencies listed under System Location are followed by numbers indicating which of the following categories are recorded.

Physical Therapists (1).

Chiropractor (2).
 Laboratory Personnel (3).
 Licensed Practical Nurses (4).
 Licensed Administrators (5).
 Registered Nurses (6).
 Occupational Therapists (7).
 Dieticians (8).
 Consultant Physicians (9).
 Pharmacists (10).
 Clinical Psychologists (11).
 Audiologists (12).
 Speech Pathologists (13).
 Social Work Consultants (14).
 Dentists (15).
 Portable X-Ray Providers (16).

Authority for maintenance of the system: Social Security Act Section 1123 (42 U.S.C. 1320a-2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (a) To contractors under contract to HCFA for the performance of specific research and statistical activities directly related to the Social Security Act.

(b) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(c) To State officials and employees to the extent necessary or appropriate to carry out their functions under agreements with the Health Care Financing Administration. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained on paper files in metal filing cabinets.

Retrievability: System is indexed by name of individual, listed alphabetically.

Safeguards: Disclosure of records is limited to State agency and Medicare personnel on a need-to-know basis. The files are closed to unauthorized personnel. File cabinets where records are stored are locked when not in use and at close of business. Keys are kept by authorized personnel only.

Retention and disposal: Records are maintained for 5 years after becoming inactive, and are then destroyed.

System manager(s) and address:

Director, Health Standards and Quality Bureau
 Dogwood East Building
 1849 Gwynn Oak Avenue
 Baltimore, MD 21207

Notification procedure: Inquiries and requests for records should be directed to the Regional Medicare Director (See Appendix C, Section 2) or the appropriate State agency (See System Location). The individual should furnish his or her name, address, social security number, and the specific category file he wishes to access. Information on the procedures for gaining access to and contesting records may be obtained from the Regional Medical Director.

Record access procedures: Same as notification procedures. (These access procedures are in accordance with the Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures, above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with the Department Regulations (45 CFR, Section 5b.7)).

Record source categories: The information contained in these records is furnished by the individual or his employing entity (hospital or medical clinic).

Systems exempted from certain provisions of the act: None.

09-70-2002

System name: HCFA Program Integrity/Program Validation Case Files HEW/HCFA/BQC.

Security classification: None.

System location: HCFA Bureau of Quality Control, Office of Program Validation, 6401 Security Boulevard, Baltimore, Md. 21235, or Office of Program Integrity Regional Office locations (see Appendix C, Section 2).

Categories of individuals covered by the system: Persons or entities alleged to have violated the provisions of the Social Security Act related to the Medicare (title XVIII) or Medicaid (title XIX) program or other criminal statutes as they pertain to Social Security Act programs where substantial basis for criminal prosecution exists, defendants in criminal prosecution cases, or persons or entities alleged to have abused the Medicare or Medicaid program. This last category of individuals would, for example, include persons or entities alleged to have rendered unnecessary services to Medicare beneficiaries and/or Medicaid recipients, overutilized services, engaged in improper billing procedures, or breached the assignment agreement. Also included are persons or entities chosen as subjects of a validation review.

Categories of records in the system: Information maintained in each record includes the identity of individual(s) chosen for validation review or the suspect of an integrity review, the area of service under validation study or the nature of the alleged offense, documentation of the investigation into the alleged offense (including identification of beneficiaries recipients and witnesses, statements, medical records, payment records, or complaints from beneficiaries recipients and others, correspondence and forms, documentation of complaints, and reports of medical review committees or consultants (including professional standards review organizations)), and the disposition of the case by the Office of Program Validation or regional office of Program Integrity, Office of the Inspector General, Medicaid State agency or State Fraud Control Unit, or the U.S. Attorney.

Authority for maintenance of the system: Sections 205, 1106, 1107, 1815, 1816, 1833, 1842, 1872, 1874, 1876, 1877, and 1902 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: HCFA uses material in this system as the basis for referral of the case to the office of the Inspector General or the Department of Justice for consideration of criminal prosecution or civil action or to State or local licensing authorities (including State medical review boards), professional standards review organizations, peer review groups, medical consultants, or other professional associations for possible administrative action.

HCFA discloses such information to officers or employees of State governments as well as the civilian health and medical program of the Uniformed Services (CHAMPUS) program for use in conducting or directing investigations of possible fraud or abuse against the title XVIII, XIX, or CHAMPUS programs, as well as State attorneys in connection with State programs involving the Health Care Financing Administration.

HCFA also uses the material to determine the direction of investigation of potential fraud or abuse situations, which includes contact with third parties for the purpose of establishing or negating a violation. HCFA discloses cases involving fraudulent tax returns or forgery of Medicare checks to the Treasury Department, to the postal authorities, and to appropriate law enforcement agencies. HCFA may make disclosures to a congressional office from the record of an individual in response to an inquiry which the congressional office makes at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

HCFA also routinely discloses material in this system for other uses specified in Appendix B of the Privacy Act Regulations of the Department (45 CFR Part 5b).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in locked file cabinets.

Retrievability: The staff indexes and retrieves records by case number or by the name of the subject of the investigation. HCFA uses material in this system of records to determine if a violation of

provisions of the Social Security Act or related penal or civil provisions of the United States Code has been committed. The staff also uses this material to determine if HEW has made proper payments as prescribed under Sections 1815 and 1833 of the Social Security Act and to determine whether the Medicare or Medicaid programs have been abused. Thirdly, the staff uses this material to coordinate title XVIII and title XIX investigations to assure the proper integration of the two investigations and to prevent duplicative efforts.

HCFA discloses case file material in this system to the Office of the Inspector General (OIG) when a case is referred to OIG for full fraud investigation.

Safeguards: HCFA keeps the file cabinets locked in a room that is locked after office hours. No one has access to the files except office of program validation and Office of Program Integrity staff or other authorized personnel on a need to know basis.

Retention and disposal: HCFA places the records in an inactive file after final action on the case. It closes out the inactive file at the end of the calendar year in which final action was taken, holds it 2 additional years, transfers it to the Federal Records Center, who destroys it after 3 additional years.

System manager(s) and address: Director Bureau of Quality Control, Office of Program Validation HCFA, 6401 Security Boulevard, Baltimore, Md. 21235, or Office of Program Integrity Regional Office Locations (see Appendix C.2 Federal Register, Volume 43, No. 183, September 27, 1978, p. 44218).

Notification procedure: An individual can determine if this system contains a record pertaining to an active abuse investigation or a closed fraud or abuse investigation of which the individual is/was a subject by requesting such information in writing. He should direct inquiries to HCFA, Bureau of Quality Control, Office of Program Validation, 6401 Security Boulevard, Baltimore, Md. 21235 or the appropriate office of Program Integrity Regional Office (see app. C.2).

Under 5 U.S.C. 552a(k)(2), case files on active fraud investigations are exempt from notification procedures. Therefore, an individual cannot determine if this system contains a record pertaining to an active fraud investigation of which the individual is a subject.

An individual who requests notification of or access to a medical record shall, at the time he makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

These notification procedures are in accordance with Department regulations (45 CFR, sec. 5b.6).

Record access procedures: Same as notification procedures. Requestors should also reasonably specify the record contents they seek. As with the notification procedures above, case files on active fraud investigations are exempt from access by the individuals who are the subjects of the investigations pursuant to 5 U.S.C. 552a(k)(2). However, access to information which is a matter of public record or documents which the individual furnished will be permitted. These access procedures are in accordance with Department regulations (45 CFR, sec. 5b.5(a)(2)).

Contesting record procedures: Contact the appropriate official at the address specified under notification procedures above, reasonably identify the record and specify the information to be contested. (These procedures are in accordance with department regulations—45 CFR, sec. 5b.7).

Record source categories: The information contained in this record system is the result of a criminal or program abuse investigation and may be derived from such sources as the suspect, beneficiaries, witnesses, professional standards review organizations, professional or peer review committees, medical consultants, title XIX State agencies or State fraud control units, Social Security Administration, health care financing administration carrier or intermediary employees with a knowledge of the case.

Systems exempted from certain provisions of the act: HEW claims exemption of certain records (case files on active fraud investigations) in this system from the notification and access procedures under 5 U.S.C. 552a(k)(2) inasmuch as these records are investigatory materials compiled for program (law) enforcement in anticipation of a criminal or administrative proceeding. (See Department Regulations (45 CFR, section 5b.11)).

APPENDIX C HEALTH INSURANCE CLAIMS

1 Central Office Address

Medicare records are maintained by the:
Bureau of Program Operations

6401 Security Blvd.
Baltimore, Maryland 21235
Office Hours are: 8:15-4:45

Records are also maintained by private insurance organizations who share in administering provisions of the health insurance program. These private insurance organizations, referred to as carriers and intermediaries, are under contract to the Social Security Administration and the Health Care Financing Administration to perform specific tasks in the Medicare program. Addresses for the intermediaries may be found under section 3, and for the carriers under section 4 below.

Health insurance records of the Medicare program can be accessed through a regional representative of the Medicare Bureau.

2. Medicare Regional Office Addresses:

BOSTON REGION—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

John F. Kennedy Federal Building

Room 1211

Boston, Massachusetts 02203

Office Hours: 8:30-5:00

NEW YORK REGION—New Jersey, New York, Puerto Rico, Virgin Islands

26 Federal Plaza—Room 715

New York, New York 10007

Office Hours: 8:30-5:00

PHILADELPHIA REGION—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

P.O. Box 8460

Philadelphia, Pennsylvania 19101

Office Hours: 8:30-5:00

ATLANTA REGION—Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Street

Suite 702

Atlanta, Georgia 30223

Office Hours: 8:00-4:30

CHICAGO REGION—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

Suite A-824

Chicago, Illinois 60604

Office Hours: 8:15-4:45

DALLAS REGION—Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Building

Dallas, Texas

Office Hours: 8:00-4:30

KANSAS CITY REGION—Iowa, Kansas, Missouri, Nebraska

New Federal Office Building

601 East 12th Street—Room 436

Kansas City, Missouri 64106

Office Hours: 8:00-4:45

DENVER REGION—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building

1961 Stout St—Room 1185

Denver, Colorado 80294

Office Hours: 8:00-4:30

SAN FRANCISCO REGION—American Samoa, Arizona, California, Guam, Hawaii, Nevada

Federal Office Building

10 Van Ness Avenue

20th Floor

San Francisco, California 94102

Office Hours: 8:00-4:30

SEATTLE REGION—Alaska, Idaho, Oregon, Washington

1321 Second Avenue—Room 615

Mail Stop 211

Seattle, Washington 98101

Office Hours: 8:00-4:30

3. Intermediary Addresses (Hospital Insurance)

Medicare Coordinator

Blue Cross/Blue Shield of Alabama

930 South 20th Street

Birmingham, Alabama 35205

Medicare Coordinator

Assoc. Hospital Service of Arizona

P.O. Box 13466

321 West Indian School Road

Phoenix, Arizona 85002

V.P. for Medicare and Medical Services
Arkansas Blue Cross/Blue Shield
P.O. Box 2181
601 Gaines Street
Little Rock, Arkansas 72203

Medicare Claim Administrator
Aetna Life & Casualty
2600 Wilshire Boulevard
Los Angeles, California 90057

Medicare Coordinator
Blue Cross of Southern California
P.O. Box 7000
Van Nuys, California 91470

Supply Supervisor
Blue Cross of Northern California
1950 Franklin Street
Oakland, California 94659

Medicare Coordinator
Kaiser Foundation Health Plan, Inc.
1956 Webster Street, Room 310A
Oakland, California 94612

Aetna Life & Casualty
Medicare Claim Administration
97 San Marin Drive
Novato, California 94947

Assistant Vice-President
Colorado Hospital Service
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Denver, Colorado 80203

Medicare Administrator
Aetna Life & Casualty
151 Farmington Avenue
Hartford, Connecticut 06115

Medicare Coordinator
Connecticut Coordinator
370 Bassett Rd.
North Haven, Connecticut 06473

Administrator, Medicare Claims Office
Aetna Life & Casualty
P.O. Box 329
270 Farmington Avenue
Building 4, 2nd Floor
Farmington, Connecticut 06032

Medicare Administrator
Travelers Ins. Co.
One Tower Square
Hartford, Connecticut 06115

Connecticut General Life Ins. Co.
Medicare Claim Office
200 Pratt Street
Meriden, Connecticut 06450

Medicare Coordinator
Blue Cross/Blue Shield of Delaware
201 West 14th Street
Wilmington, Delaware 19899

Medicare Coordinator
Group Hospitalization, Inc.
550 12th Street, S.W.
Washington, D.C. 20024

Medicare Coordinator
Blue Cross of Florida, Inc.
P.O. Box 1798
Jacksonville, Florida 32231

Medicare Claim Administrator
Aetna Life & Casualty
The Taylor Building
121 North Osceola Avenue

Clearwater, Florida 33515

Coordinator, Provider Administration
Blue Cross of Georgia/Columbus
P.O. Box 7368
2357 Warm Springs Rd.
Columbus, Georgia 31904

Blue Cross of Georgia/Atlanta
3348 Peachtree St., N.E.
P.O. Box 4445
Atlanta, Georgia 33302

Administrative Vice-President
Hawaii Medical Service Administration
P.O. Box 860
1504 Kapiolani Boulevard
Honolulu, Hawaii 96808

Medicare Coordinator
Idaho Hospital Service, Inc.
P.O. Box 7408
1501 Federal Way
Boise, Idaho 83707

Health Care Service Corp.
233 North Michigan Avenue
Chicago, Illinois 60601

Medicare Claims Administration
Aetna Life & Casualty
P.O. Box 1702
Peoria, Illinois 61603

Medicare Coordinator
Blue Cross Hospital Service
120 West Market Street
Indianapolis, Indiana 46204

Medicare Administrator
Blue Cross of Iowa
Ruan Building
636 Grant Avenue, Station 28
Des Moines, Iowa 50307

Blue Cross of Western Iowa and S. Dakota
Third and Pierce Street
Sioux City, Iowa 51102

Medicare Administrator
Kansas Hospital Association, Inc.
1133 Topeka Avenue, P.O. Box 239
Topeka, Kansas 66601

Director, Medicare Division
Blue Cross Hospital Plan, Inc.
9901 Linn Station Road
Louisville, Kentucky 40223

Medicare Coordinator
Louisiana Health Service & Indemnity Co.
P.O. Box 15699
Baton Rouge, Louisiana 70895

Medicare Coordinator
Maine B/C-B/S
100 Free Street
Portland, Maine 04101

Medicare Coordinator
Maryland Blue Cross, Inc.
700 East Joppa Road
Baltimore, Maryland 21204

Medicare Claims Admin.
Aetna Life & Casualty Co.
400 Mechanics National Tower
Worcester, Massachusetts 01608

Medicare Coordinator Part A
Massachusetts Hospital Service, Inc.
100 Summer Street

Boston, Massachusetts 02106

Asst. Vice Pres. Govern. Aff. Dept.
Michigan Medical Services
600 Lafayette East
Detroit, Michigan 48226

Medicare Coordinator
Minnesota Hospital Service Assoc.
3535 Blue Cross Road
St. Paul, Minnesota 55165

Medicare Coordinator
Mississippi Hospital & Medical Service
P.O. Box 1043
Jackson, Mississippi 39205

Vice-President Government Programs
Blue Cross of Kansas City
P.O. Box 169
Kansas City, Missouri 64141

Vice-President
Blue Cross Hospital Service Inc.
4444 Forest Park
St. Louis, Missouri 63108

Medicare Coordinator
Blue Cross of Montana
P.O. Box 5017
3360 10th Avenue, South
Great Falls, Montana 59405

Asst. Vice-Pres. Health Ins. Benefits
Mutual of Omaha Ins. Co.
Box 456 Downtown Station
Omaha, Nebraska 68101

Medicare Coordinator
Nebraska Blue Cross Hosp. Serv. Assn.
P.O. Box 3248
Main Post Office Station
Omaha, Nebraska 68103

Medicare Claims Administrator
Aetna Life & Casualty
P.O. Box 7290
Reno, Nevada 89510

Medicare Coordinator
New Hampshire Vermont Phys. Serv.
2 Pillsbury Street
Concord, New Hampshire 03301

Medicare Coordinator
Hospital Service Plan of New Jersey
33 Washington Street
Newark, New Jersey 07102

Medicare Coordinator
Prudential Ins. Co. of America
P.O. Box 471
Millville, New Jersey 08332

Hospital Service, Inc.
12800 Indian School Rd., N.E.
Albuquerque, New Mexico 87112

Medicare Coordinator
Rochester Hospital Service
41 Chestnut Street
Rochester, New York 14604

Hospital Plan, Inc.
5 Hopper St.
Utica, New York 13501

Medicare Coordinator
Blue Cross of Western New York, Inc.
298 Main Street, Blue Cross Building
Buffalo, New York 14202

Medicare Coordinator
Blue Cross of Central New York, Inc.
P.O. Box 271
344 South Warren Street
Syracuse, New York 13202

Hospital Service Corp. of Jefferson co.
P.O. Box 570
158 Stone Street
Watertown, New York 13602

Medicare Coordinator
B/C-B/S of Greater New York
622 Third Avenue
New York, New York, 10017

Chautauqua Region Hospital Service Corp.
306 Spring Street
Jamestown, New York 14701

Medicare Blue Cross of N.E. New York, Inc.
P.O. Box 8650
Albany, New York 12208

Vice-President Medicare
North Carolina B/C-B/S
P.O. Box 2291
Durham, North Carolina 27702

Medicare Coordinator
Blue Cross of North Dakota
301 Eight St.,
South Fargo, North Dakota 58102

Associated Hospital Service, Inc.
2400 Market Street
Youngstown, Ohio 44507

Medicare Coordinator
B/C of N.W. Ohio
P.O. Box 943
Toledo, Ohio 43656

Medicare Coordinator
B/C of N.E. Ohio
2066 East Ninth Street
Cleveland, Ohio 44115

Medicare Coordinator
B/C of S.W. Ohio
1351 William Howard Taft Road
Cincinnati, Ohio 45206

Medicare Sys. & Proc. Div.
Nationwide Insurance Co.
P.O. Box 57
Columbus, Ohio 43216

Medicare Coordinator
B/C of Central Ohio
P.O. Box 16526
255 East Main Street
Columbus, Ohio 43216

Director, Medicare Operations
Blue Cross Association
1215 South Boulder
Tulsa, Oklahoma 74102

Medicare Coordinator
B/C of Oregon
P.O. Box 1271
100 S.W. Market Street
Portland, Oregon 97201

Director, Medicare Division
Blue Cross of Greater Philadelphia
1333 Chestnut Street
Philadelphia, Pennsylvania 19107

Project Staff Medicare
Blue Cross of Western Pennsylvania

One Smithfield Street
Pittsburgh, Pennsylvania 15222

Medicare Coordinator
B/C of N.E. Pennsylvania
Blue Cross Building
70 North Main Street
Wilkes Barre, Pennsylvania 18711

Medicare Coordinator
Blue Cross of Lehigh Valley
1221 Hamilton Street
Allentown, Pennsylvania 18102

Medicare Coordinator
Capital Blue Cross
100 Pine Street
Harrisburg, Pennsylvania 17101

Aetna Life & Casualty
Medicare Claim Administrator
500 Office Center Building
P.O. Box 548
Fort Washington, Pennsylvania 19034

Cooperative de Seguros de Vida de Puerto Rico
G.P.O. Box 3428
San Juan, Puerto Rico 00936

Blue Cross of Rhode Island
444 Westminster Mall
Providence, Rhode Island 02901

Medicare Coordinator
Blue Cross Blue Shield of S.C.
Drawer F Forest Acres Branch
Columbus, South Carolina 29206

Medicare Coordinator
Memphis Hosp. Serv. Surg. Assn.
P.O. Box 98
Memphis, Tennessee 38101

Medicare Coordinator
B/C—B/S of Tennessee
801 Chestnut Street
Chattanooga, Tennessee 37402

Medicare Administrator
Aetna Life & Casualty
Union Square Building
7670 Union Avenue
Suite 606
Memphis, Tennessee 38112

Office Services
Group Hospital Services, Inc.
P.O. Box 22146
Dallas, Texas 75222

Medicare Coordinator
B/C of Utah
P.O. Box 3270, Medicare A
2455 Parleys Way
Salt Lake City 84125

B/C—B/S of S.W. Virginia
P.O. Box 13047
3959 Electric Rd., S.W.
Roanoke, Virginia 24045

Manager, Government Programs
Blue Cross and Blue Shield
2015 Staples Mill Road, P.O. Box 27401
Richmond, Virginia 23279

Medicare Coordinator
B/C Washington/Alaska, Inc.
15700 Dayton Avenue, North
P.O. Box 327
Seattle, Washington 98111

Medicare Administration
Aetna Life and Casualty Co.
P.O. Box C19046
Seattle, Washington 98109

Medicare Coordinator
Parkersburg Hosp. Serv., Inc.
P.O. Box 1948
Parkersburg, West Virginia 26101

Medicare Coordinator Blue Cross
Hospital Service Inc.
Commerce Square, P.O. Box 1353
Charleston, West Virginia 25325

Director of Fed. Programs
West Virginia Hospital Service, Inc.
20th and Chapline Streets
Wheeling, West Virginia 26003

Medicare Coordinator
Assoc. Hosp. Serv., Inc.
401 W. Michigan Street
Milwaukee, Wisconsin 53203

Medicare Coordinator
B/C—B/S of Wyoming
400 House Avenue
P.O. Box 2266
Cheyenne, Wyoming 82001

Health Care Financing Administration
Bureau of Program Operations
Group Health Plans
Operations Staff
6401 Security Boulevard
Baltimore, Maryland 21235

Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

4. Carrier Addresses (Supplementary Medical Insurance)

Medicare Coordinator
Blue Cross Blue Shield of Alabama
930 South 20th Street
Birmingham, Alabama 35205

Medicare Claim Administrator
Aetna Life & Casualty
3010 West Fairmount Avenue
Phoenix, Arizona 85017

Vice President for Medicare and
Medical Services
Arkansas Blue Cross Blue Shield
601 Gaines Street
Little Rock Arkansas 72203

Medicare Coordinator
California Blue Shield
P.O. Box 7968
Rincon Annex
San Francisco, California 94120

Medicare Coordinator
Occidental Life Insurance Company of California
P.O. Box 54905 Terminal Annex
Los Angeles, California 90054

Assistant Vice President
Blue Shield of Colorado
700 Broadway
Denver, Colorado 80203

Medicare Administrator
Travelers Ins. Co.
One Tower Square
Hartford, Connecticut 06115

Medicare Administrator

Aetna Life & Casualty
151 Farmington Avenue
Hartford, Connecticut 06115

Medicare Coordinator
Connecticut General-Life
Insurance Company
200 Pratt Street
Meriden, Connecticut 06450

Medicare Coordinator
Blue Cross Blue Shield of Delaware
201 West 14th Street
Wilmington, Delaware 19899

Medicare Coordinator
Medical Service of D.C.
550 12th Street, SW
Washington, D.C. 20024

Medicare Coordinator
Blue Shield of Florida, Inc.
P.O. Box 1798
Jacksonville, Florida 32201

Group Health, Inc.
1320 South Dixie Highway
Coral Gables, Florida 33146

Medicare Administrator
Prudential Insurance Company of America
P.O. Box 95466
57 Executive Park Station
Atlanta, Georgia 30347

Medicare Claim Administrator
Aetna Life Casualty
100 Bishop Street, P.O. Box 3947
Honolulu, Hawaii 96812

Medicare
The Equitable Life Assurance Society
P.O. Box 8048, Hillcrest Plaza Shop
Boise, Idaho 83707

Continental Casualty Company
Medicare Benefits Division
P.O. Box 910
Chicago, Illinois 60690

Health Care Service Corporation
233 North Michigan Avenue
Chicago, Illinois 60601

Assistant Vice President Medicare Dept.
Blue Shield of Indiana
120 West Market Street
Indianapolis, Indiana 46204

Assistant Executive Director
Blue Shield of Iowa
Ruan Building, 636 Grand Avenue
Station 28
Des Moines, Iowa 50307

Medicare Administrator
Kansas Medical Association, Inc.
1133 Topeka Blvd., P.O. Box 239
Topeka, Kansas 66601

Manager
Metropolitan Life Insurance Co.
1218 Harrodsburg Road, Suite 300
Lexington, Kentucky 40504

Manager, Medicare Liaison
Pan American Life Insurance Co.
P.O. Box 60450
New Orleans, Louisiana 70160

Blue Shield of Massachusetts/Maine
Medicare Claims Office

477 Congress Street
Portland, Maine 04111

Medicare Coordinator
Maryland Blue Shield, Inc.
700 E. Joppa Road
Baltimore, Maryland 21204

Medicare Coordinator Part B
Massachusetts Blue Shield
100 Summer Street
Boston, Massachusetts 02106

Asst. Vice Pres. Govern. Aff. Dept.
Michigan Medical Services
600 Lafayette East
Detroit, Michigan 48226

Blue Cross Blue Shield of Minn.
3535 Blue Cross Road
St Paul, Minnesota 55165

Vice President Government Programs
Blue Shield of Kansas City
P.O. Box 169
Kansas City, Missouri 64141

Director, Medicare Administration
General American Life Ins. Corp.
P.O. Box 505
St. Louis, Missouri 6366

Montana Physicians Service
404 Fuller Avenue
P.O. Box 2510
Helena, Montana 59601

Assistant Vice President
Health Insurance Benefits
Mutual of Omaha Insurance Co.
Box 456, Downtown Station
Omaha, Nebraska 68101

Medicare Claims Administrator
Aetna Life & Casualty
P.O. Box 7290
Reno, Nevada 89510

Medicare Coordinator
New Hampshire Vermont Phys. Serv.
2 Pillsbury Street
Concord, New Hampshire 03301

Medicare Coordinator
Prudential Insurance Co. of America
P.O. Box 471
Millville, New Jersey 08332

Medicare
The Equitable Life Assurance Society
P.O. Box 3070
Station D
Albuquerque, New Mexico 87110

Director of Medicare Part B
Blue Shield of Western New York, Inc.
298 Main Street
Buffalo, New York 14202

Medicare Coordinator
Group Health Insurance, Inc.
326 West 42nd Street
New York, New York 10036

Medicare Coordinator
Genesee Valley Medical Care, Inc.
41 Chestnut Street
Rochester, New York 14604

Medicare Coordinator
Blue Cross Blue Shield of Greater N.Y.
622 Third Avenue

New York, New York 10017

Medicare Coordinator
The Equitable Life Assurance Society
1285 Avenue of the Americas
New York, New York 10019

Manager
Metropolitan Life Insurance Co.
P.O. Box 393
276 Genesee Street
Utica, New York 13503

Senior Vice President
Metropolitan Life Insurance Co.
One Madison Avenue
New York, New York 10010

Medicare Coordinator, B Division
Prudential Life Insurance Company
P.O. Box 2126
High Point, North Carolina 27261

Medicare Coordinator
Blue Shield of North Dakota
301 South Eight Street
Fargo, North Dakota 58102

Medicare System & Proc. Div.
Nationwide Insurance Company
P.O. Box 57
Columbus, Ohio 43216

Department of Institutions
Social & Rehabilitative Services
Box 25352 State Capital Station
Oklahoma City, Oklahoma 73125

Medicare Claims Admin.
Aetna Life & Casualty
Glenbrook Center, 1140 N.W. 63rd St.
Oklahoma City, Oklahoma 73116

Medicare Claim Admin.
Aetna Life & Casualty
1500 S.W. First Avenue
Crown Plaza
Portland, Oregon 97201

Medicare Coordinator
Pennsylvania Blue Shield
Blue Shield Building
Camp Hill, Pennsylvania 17011

Chief, Internal Operations
Seguros de Servicio de Salud de
Puerto Rico, Inc.
G.P.O. Box 3628
San Juan, Puerto Rico 00936

Medicare Coordinator
R.I. Medical Society Physicians Serv.
444 Westminster Mall
Providence, Rhode Island 02901

Medicare Coordinator
Blue Cross Blue Shield of S.C.
Drawer F Forest Acres Branch
Columbia, South Carolina 29206

Assistant Executive Director
South Dakota Medical Service, Inc.
1601 West Madison
Sioux Falls, South Dakota 57104

The Equitable Life Assurance Society
P.O. Box 1465
Nashville, Tennessee 37202

Offices Services
Group Medical & Surgical Service
P.O. Box 22147

Dallas, Texas 75222

Manager, Part B
Blue Shield of Utah
P.O. Box 3270
2455 Parleys Way
Salt Lake City, Utah 84125

Assistant Administrator
Washington Physicians Service
4th & Battery Building—6th Floor
2401 4th Avenue
Seattle, Washington 98121

Medicare Coordinator, Surgical Care
The Medical Society of Milwaukee County
401 West Michigan Street
Milwaukee, Wisconsin 53203

Director, Medicare Claims Dept.
Wisconsin Physicians Service
330 E. Lakeside Street, P.O. Box 1109
Madison, Wisconsin 53701

Field Director
Equitable Life Assurance Society
P.O. Box 628
102 Indian Hills Shopping Center
Cheyenne, Wyoming 82001

Health Care Financing Administration
Bureau of Program Operations
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Railroad Retirement Board
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Chicago, Illinois 60611

[FR Doc. 79-29600 Filed 10-5-79; 8:45 am]
Billing Code 4110-35-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

Privacy Act of 1974

Systems of Records, Annual Republication

AGENCY: Department of Health, Education, and Welfare; Public Health Service

ACTION: This document is published to meet the requirements of 5 U.S.C. 552(a), Section 3(e)(4), providing for annual publication of the existence and character of systems of records subject to the Privacy Act.

SUMMARY: Notices of systems of records currently maintained by the component organizations of the Public Health Service follow. This preamble summarizes significant changes to and deletions of record systems which have occurred since the 1978 annual publication. Since these changes do not meet the criteria of OMB Circular A-108, Transmittal Memorandum No. 1 for a new or altered system report, none has been filed. Nor have any routine uses been added; new routine uses would require a public comment period.

SUPPLEMENTARY INFORMATION: The component organizations of the Public Health Service are:

- Office of the Assistant Secretary for Health (OASH)
- Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA)
- Center for Disease Control (CDC)
- Food and Drug Administration (FDA)
- Health Resources Administration (HRA)
- Health Services Administration (HSA)
- National Institutes of Health (NIH)

System notices which have been deleted, or to which changes have been made, were last published in the **FEDERAL REGISTER** on September 27, 1978 (Vol. 43, No. 188, Part IV). The page numbers in parentheses below refer to this publication.

OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH (OASH)

09-37-006 "PHS Commissioned Officer Grievance; Equal Employment Opportunity; and, Non-Board and Pre-Board Involuntary Retirement, Involuntary Separation and Disciplinary Files" HEW/OASH/OM (page 44234). The title of this record system notice has been changed to read: "PHS Commissioned Officer Grievance; and Non-Board and Pre-Board Involuntary Retirement, Involuntary Separation and Disciplinary Files." The change reflects the fact that the equal employment opportunity records formerly contained in this system have been consolidated with and subsumed by system notice 09-90-0009 "Discrimination Complaints Records System" HEW/OS/ASPER (page 44120).

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION (ADAMHA)

ADAMHA has made no deletions of, or significant changes to, its notices of systems of records.

CENTER FOR DISEASE CONTROL (CDC)

09-20-0026 "Respiratory Infections Study in Guyan Valley, West Virginia" HEW/CDC/NIOSH (page 44338). The study utilizing these records has been completed and the detailed records have been destroyed.

09-20-0040 "Pennsylvania Coal Miners Study" HEW/CDC/NIOSH (page 44339). The record system described by the system notice has been consolidated with and subsumed by system notice 09-20-0151, "DRDS Mortality Studies in Coal Mining Activities" (page 44350).

09-20-0077 "Survey of Arizona Asbestos Miners and Mill Workers (1969)" HEW/CDC/NIOSH (page 44341). The record system described by the system notice has been consolidated with and subsumed by system notice 09-20-0147 "DSHEFS Occupational Health Epidemiological Studies" HEW/CDC/NIOSH (page 44347).

09-20-0134 "Byssinosis Study" HEW/CDC/NIOSH (page 44345). The record system described by this system notice has been consolidated with and subsumed by system notice 09-20-0147 "DSHEFS Occupational Health Epidemiological Studies" HEW/CDC/NIOSH (page 44347).

09-20-0139 "Respiratory Disease Studies Involving Persons of West Virginia Coal Mining Communities" HEW/CDC/NIOSH (page 44346). The record system described by this system notice has been consolidated with and subsumed by system notice 09-20-0150 "DRDS Morbidity Studies in Coal Mining Activities" HEW/CDC/NIOSH (page 44349).

FOOD AND DRUG ADMINISTRATION (FDA)

FDA has made no deletions of, or significant changes to, its notices of systems of records.

HEALTH RESOURCES ADMINISTRATION (HRA)

09-35-0042 "Transfer of U.S. Students in Foreign Medical Schools to U.S. Schools" HEW/HRA/BHM (page 44247). HRA has terminated this system of records because the program legislation has expired. Manual files have been shredded and computer files have been purged of individual identifiers.

HEALTH SERVICES ADMINISTRATION (HSA)

09-15-0007 "Patients Medical Record System, PHS Hospitals/Clinics" HEW/HSA/BMS (page 44364). Portions of the system notice which were inadvertently dropped in the final printing of the annual republication in 1978, have been reinserted. These additions include the last two categories of users found under Routine Uses in the system notice, and information concerning the Alcohol and Drug Abuse Confidentiality regulations (42 CFR, Part 2) found under Safeguards in the system notice. The system is now complete as previously published in the 1977 annual republication (**FEDERAL REGISTER**, 9/29/77, Vol. 42, No. 189, Part X, page 52172).

NATIONAL INSTITUTES OF HEALTH (NIH)

09-25-0111 "Administration: NIH Guide to Grants and Contracts" HEW/NIH/DAS (page 44307). This system of records is a mass mailing list for the distribution of the NIH guide which is mentioned in the title. NIH has deleted this system notice because the names are not retrieved individually and because the mailing list is available to the public under the Freedom of Information Act (5 USC 552).

OTHER CHANGES

In addition to the changes specific to particular components of the Public Health Service which are mentioned above, the Public Health Service has amplified in its system notices the procedures for individuals to gain access to their records in those systems, in line with the requirements set forth in the DHEW Privacy Act regulation (45 CFR, Part 5b). PHS expects that providing greater detail in system notices will serve to minimize the need for correspondence with individuals who are seeking access to their records. Accordingly, PHS has developed the following standardized statements:

"An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department regulations (45 CFR, Part 5b.6).)"

"A parent or guardian who requests notification of or access to a minor's medical record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child as well as his/her own identity. (These notification and access procedures are in accordance with Department regulations (45 CFR, Part 5b.6).)"

"Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. (Access procedures regarding exempt systems of records are in accordance with Department regulations (45 CFR, Part 5b.6).)"

These standardized statements have been added to applicable system notices which follow, when relevant.

Date: August 10, 1979.

John C. Droke
Director, Office of Management, PHS

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System Number and System Name

Office of the Assistant Secretary of Health

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- 09-37-0003—PHS Commissioned Corps Medical Records. HEW/OASH/OM.
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- 09-37-0012—Vital Statistics for Births, Deaths, Fetal Deaths, Marriages and Divorces Occurring in the United States during Each Year. HEW/OASH/OHRST.
- 09-37-0013—Health Resources Utilization Statistics. HEW/OASH/OHRST.
- 09-37-0014—Curricula Vitae of Consultants to the National Center for Health Statistics. HEW/OASH/OHRST.
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Health Resources Administration

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- Alcohol, Drug Abuse, and Mental Health Administration
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- 09-30-0013—Saint Elizabeths Hospital Training Videotape Records. HEW/ADAMHA/NIMH.
- 09-30-0014—Saint Elizabeths Hospital Financial System — HEW/ADAMHA/NIMH.
- 09-30-0015—Saint Elizabeths Hospital General Security System — HEW/ADAMHA/NIMH.
- 09-30-0016—Saint Elizabeths Hospital Patients Personal Property Record System — HEW/ADAMHA/NIMH.
- 09-30-0017—Saint Elizabeths Hospital Legal Office Record System — HEW/ADAMHA/NIMH.
- 09-30-0018—Saint Elizabeths Hospital Area D Community Mental Health Center Citizens Advisory Groups Records—HEW/ADAMHA/NIMH.
- 09-30-0019—Saint Elizabeths Hospital Court-Ordered Forensic Investigatory Materials File—HEW/ADAMHA/NIMH.
- 09-30-0020—Administrative Records on Civilly Committed Drug Abusers Under the Narcotic Addict Rehabilitation Act—HEW/ADAMHA/NIDA.
- 09-30-0021—Patient Medical Records on PHS Beneficiaries and Civilly Committed Narcotic Addicts Treated at the PHS Hospitals at Lexington, Kentucky and Fort Worth, Texas. HEW/ADAMHA/NIDA.
- 09-30-0022—National Institute on Drug Abuse Addiction Research Center Federal Prisoner and Non-Prisoner Patient Files—HEW/ADAMHA/NIDA.
- 09-30-0023—Records of Contracts Awarded to Individuals. HEW/ADAMHA/OA.
- 09-30-0024—Saint Elizabeths Hospital General Administrative Record Systems. HEW/ADAMHA/NIMH.
- 09-30-0025—Maryland Psychiatric Case Register—HEW/ADAMHA/NIMH.
- 09-30-0026—Saint Elizabeths Hospital Research Project Record—HEW/ADAMHA/NIMH.
- 09-30-0027—Grants: Research, Research Training, Research Scientist Development, Fellowships, Clinical Training, Community Services. HEW/ADAMHA/OA.
- 09-30-0028—Saint Elizabeths Hospital General Medical/Clinical Records System and Related Indexes—HEW/ADAMHA/NIMH.
- 09-30-0029—Record of Guest Workers. HEW/ADAMHA/OA.
- 09-30-0030—Record of Visiting Fellows. HEW/ADAMHA/OA.
- 09-30-0031—Saint Elizabeths Hospital Biometrics System. DHEW/ADAMHA/NIMH.
- 09-30-0032—Records of Research on Alcohol Abusers and Addicts. HEW/ADAMHA/NIAAA.

- 09-30-0033—Correspondence Files. HEW/ADAMHA/OA
National Institutes of Health
- 09-25-0001 Clinical Research: Patient Records. HEW/NIH/
NHLBI.
- 09-25-0002—Clinical Research: Phonocardiogram. HEW/NIH/
NHLBI.
- 09-25-0003—Administration: Authorized Radionuclide Users
File. HEW/NIH/DRS.
- 09-25-0004—Administration: NIH Chemical Carcinogen
Registry. HEW/NIH/DRS.
- 09-25-0005—Administration: NIH Library Circulation and User
I.D. File. HEW/NIH/DRS.
- 09-25-0007—Administration: NIH Safety Glasses Issuance
Program. HEW/NIH/DRS.
- 09-25-0008—Administration: Radiation Workers Monitoring.
HEW/NIH/DRS.
- 09-25-0009—Clinical Research: Radiotherapy Patient File.
HEW/NIH/DRS.
- 09-25-0010—Research Resources: Registry of Microbial Agents,
Tissue Cultures and Animals & Users. HEW/NIH/DRS.
- 09-25-0011—Clinical Research: Blood Donor Records. HEW/
NIH/CC.
- 09-25-0012—Clinical Research: Candidate Normal Volunteer
Records. HEW/NIH/CC.
- 09-25-0013—Clinical Research: Preadmission Medical Records.
HEW/NIH/CC.
- 09-25-0014—Clinical Research: Student Records. HEW/NIH/
CC.
- 09-25-0015—Clinical Research: Collaborative Clinical Epilepsy
Research. HEW/NIH/NINCDS.
- 09-25-0016—Clinical Research: Collaborative Perinatal Project.
HEW/NIH/NINCDS.
- 09-25-0017—Clinical Research: Epidemiology Studies Files.
HEW/NIH/NINCDS.
- 09-25-0019—Clinical Research: Genetic Counseling. HEW/
NIH/NINCDS.
- 09-25-0020—Clinical Research: Genetics of Neurological
Disorders. HEW/NIH/NINCDS.
- 09-25-0021—Clinical Research: Guam Patient/Control Registry.
HEW/NIH/NINCDS.
- 09-25-0024—Clinical Research: Medical Neurology Branch
Medical Histories. HEW/NIH/NINCDS.
- 09-25-0026—Clinical Research: Nervous System Studies. HEW/
NIH/NINCDS.
- 09-25-0028—Clinical Research: Patient Medical Histories. HEW/
NIH/NINCDS.
- 09-25-0031—Clinical Research: Serological and Virus Data in
Studies Related to the Central Nervous System. HEW/NIH/
NINCDS.
- 09-25-0033—International Activities: Fellowships Awarded by
Foreign Organizations. HEW/NIH/FIC.
- 09-25-0034—International Activities: Scholars Program. HEW/
NIH/FIC.
- 09-25-0035—International Activities: US Foreign Health
Exchange Programs. HEW/NIH/FIC.
- 09-25-0036—Grants: IMPAC (Grant/Contract Information).
HEW/NIH/DRG.
- 09-25-0037—Clinical Research: Gerontology Research Center
Longitudinal Aging Study. HEW/NIH/NIA.
- 09-25-0038—Clinical Research: Patient Data. HEW/NIH/
NIAMDD.
- 09-25-0039—Clinical Research: Diabetes Mellitus Research
Study of Southwestern American Indians. HEW/NIH/
NIAMDD.
- 09-25-0040—Clinical Research: Southwestern American Indian
Patient Data. HEW/NIH/NIAMDD.
- 09-25-0041—Research Resources: Hormone Distribution. HEW/
NIH/NIAMDD.
- 09-25-0042—Clinical Research: National Institute of Dental
Research Patient Records. HEW/NIH/NIDR.
- 09-25-0043—Clinical Research: Pharyngeal Development.
HEW/NIH/NIDR.
- 09-25-0044—Clinical Research: Sensory Testing Research
Program. HEW/NIH/NIDR.
- 09-25-0046—Clinical Research: Catalog of Clinical Specimens.
HEW/NIH/NIAID.
- 09-25-0047—Clinical Research: Cooperative Smallpox Vaccine
Study. HEW/NIH/NIAID.
- 09-25-0048—Clinical Research: Serology-Epidemiology Parasite
Research. HEW/NIH/NIAID.
- 09-25-0049—Clinical Research: Atlanta Federal Prison Malaria
Research Projects. HEW/NIH/NIAID.
- 09-25-0050—Grants: Trainees Record System. HEW/NIH/
NIAID.
- 09-25-0051—Grants: NIH Fellowship Payroll. HEW/NIH/
DFM.
- 09-25-0053—Clinical Research: Vision Studies. HEW/NIH/NEI.
- 09-25-0054—Administration: Property Accounting. HEW/NIH/
DES.
- 09-25-0055—Clinical Research: Baltimore Cancer Research
Center Patients. HEW/NIH/NCI.
- 09-25-0057—Clinical Research: Burkitt's Lymphoma Registry.
HEW/NIH/NCI.
- 09-25-0060—Clinical Research: DCT Clinical Investigations.
HEW/NIH/NCI.
- 09-25-0064—Clinical Research: Japan Hawaii Cancer Studies.
HEW/NIH/NCI.
- 09-25-0067—Clinical Research: National Cancer Incidence
Surveys. HEW/NIH/NCI.
- 09-25-0068—Clinical Research: National Cancer Institute/
American Cancer Society National Breast Cancer Screening
of Antihypertensives. HEW/NIH/NCI.
- 09-25-0069—NIH Clinical Center Admissions of the NCI:
HEW/NIH/NCI.
- 09-25-0074—Clinical Research: Veterans Administration Bladder
& Prostate Cancer Clinical Trials. HEW/NIH/NCI.
- 09-25-0075—Administration: Principal Investigators Protection
from Research Risks. HEW/NIH/OD.
- 09-25-0077—Clinical Research: Viral Oncology Human
Specimen Program. HEW/NIH/NCI.
- 09-25-0078—Administration: Consultant File. HEW/NIH/
NHLBI.
- 09-25-0084—Administration: Curricula Vitae. HEW/NIH/
NIAMDD.
- 09-25-0087—Administration: Employees and Consultants. HEW/
NIH/NIAID.
- 09-25-0088—Clinical Research: H-2 Soluble Antigen and H-2
Antiserum. HEW/NIH/NIAID.
- 09-25-0089—Clinical Research: HL-A Antiserum and Tray
Users. HEW/NIH/NIAID.
- 09-25-0091—Administration: General Files. HEW/NIH/NEI.
- 09-25-0093—Administration: Journal of the National Cancer
Institute. HEW/NIH/NCI.
- 09-25-0095—Contracts: Carcinogenesis Contracts & Intramural
Projects. HEW/NIH/NCI.
- 09-25-0096—Contracts: Contract Management System. HEW/
NIH/NCI.
- 09-25-0097—Contracts: Division of Cancer Control and
Rehabilitation. HEW/NIH/NCI.
- 09-25-0098—Contracts: Viral Oncology Contracts. HEW/NIH/
NCI.
- 09-25-0099—Clinical Research: Patient Medical Records. HEW/
NIH/CC.
- 09-25-0100—Clinical Research: Neuropharmacology Studies.
HEW/NIH/NINCDS.
- 09-25-0102—Administration: Associates Program. HEW/NIH/
DRG.
- 09-25-0105—Administration: Employee Health Records. HEW/
NIH/OD.
- 09-25-0106—Administration: Executive Secretariat, NIH. HEW/
NIH/OD.
- 09-25-0108—Personnel: Guest Workers/Visiting Fellows/
Student Scientist/Scientists Emeriti. HEW/NIH/DPM.
- 09-25-0112—Grants: Research, Research Training, Fellowship
and Construction Applications and Awards. HEW/NIH/OD.
- 09-25-0113—Administration: Professional Service Agreements
(Medical/legal Services). HEW/NIH/DAS.
- 09-25-0114—Contracts: Personal Services Contractors. HEW/
NIH/NIGMS.
- 09-25-0115—Administration: Curricula Vitae. HEW/NIH/
NIAID.
- 09-25-0116—Contracts: Professional Services Contracts. HEW/
NIH/NIAID.
- 09-25-0117—International Activities: US-Japan Program. HEW/
NIH/NIAID.
- 09-25-0118—Contracts: Professional Services Contracts. HEW/
NIH/NCI.
- 09-25-0121—International Activities: Senior International
Fellowships Program. HEW/NIH/FIC.
- 09-25-0123—Clinical Research: Clinical Trials Dealing with
Fertility Regulating Methods. HEW/NIH/NICHD.

- 09-25-0124—Administration: Pharmacology Research Associates. HEW/NIH/NIGMS
- 09-25-0126—Clinical Research: National Heart, Lung, and Blood Institute Epidemiological and Biometric Studies. HEW/NIH/NHLBI.
- 09-25-0127—Clinical Research: Clinical trials dealing with phototherapy for neonatal hyperbilirubinemia. HEW/NIH/NICHD.
- 09-25-0128—Clinical Research: Neural Prosthesis & Biomedical Engineering Studies. HEW/NIH/NINCDS.
- 09-25-0129—Clinical Research: Clinical Research Studies dealing with Hearing, Speech and Language Disorders. HEW/NIH/NINCDS.
- 09-25-0130—Clinical Research: Environmental Epidemiologic Studies in the Division of Cancer Cause and Prevention. HEW/NIH/NCI.
- 09-25-0131—Clinical Research: Clinical Epidemiologic Studies in the Division of Cancer Cause and Prevention. HEW/NIH/NCI.
- 09-25-0133—Clinical Research: Kidney Transplant Histocompatibility Study(KTHS). HEW/NIH/NIAID.
- 09-25-0134—Clinical Research: Epidemiology Studies, National Institute of Environmental Health Sciences. HEW/NIH/NIEHS.
- 09-25-0135—Grants: PROPHET System Research Prospectuses. HEW/NIH/DRR.
- 09-25-0137—Administration: Medical Library Management Intern Program. HEW/NIH/NLM.
- 09-25-0138—Biomedical Research: Studies of Possible Influence on Cognitive and Emotional Development of Children. HEW/NIH/NICHD.
- 09-25-0140—International Activities: Scientific Visitors at the National Institutes of Health. HEW/NIH/FIC.—

Center for Disease Control

- 09-20-0000—Cooperative Mycoses Study. HEW/CDC/OCD.
- 09-20-0001—Certified Interpreting Physician File. HEW/CDC/NIOSH.
- 09-20-0027—Radiation Exposure Records for NIOSH Employees. HEW/CDC/NIOSH.
- 09-20-0055—Research/Demonstration, and Training Grants, Application Files. HEW/CDC/NIOSH.
- 09-20-0059—Division of Training Mailing List. HEW/CDC/NIOSH.
- 09-20-0082—Diagnosis of Occupational Disease by Analysis of Body Fluids or Tissues through Biochemical or Clinical Chemical Analysis. HEW/CDC/NIOSH.
- 09-20-0083—Diagnostic Methods for Identification of Occupational Diseases through Biopsy and/or Autopsy Specimens. HEW/CDC/NIOSH.
- 09-20-0086—Surveillance of Persons on Isoniazid Preventive Treatment for Tuberculosis. HEW/CDC/BSS.
- 09-20-0087—Surveillance of Accidental Rubella Vaccination of Pregnant Women. HEW/CDC/BSS.
- 09-20-0088—Subacute Sclerosing Panencephalitis Surveillance. HEW/CDC/BSS.
- 09-20-0089—Studies of Treatment of Tuberculosis and other Mycobacterioses. HEW/CDC/BSS.
- 09-20-0090—Studies of Testing for Tuberculosis and other Mycobacterioses. HEW/CDC/BSS.
- 09-20-0093—Tuberculosis Prophylaxis Studies - Alaska and Puerto Rico. HEW/CDC/BSS.
- 09-20-0094—Tuberculosis Primary Drug Resistance Study. HEW/CDC/BSS.
- 09-20-0095—Zoster Immune Globulin Records on High Risk Immunosuppressed Children Exposed to Chickenpox. HEW/CDC/BSS.
- 09-20-0096—Tuskegee Study of Untreated Syphilis Medical Care Program. HEW/CDC/BSS.
- 09-20-0097—Studies of the Effects of BCG Vaccinations for Tuberculosis. HEW/CDC/BSS.
- 09-20-0098—Congenital Rubella Registry. HEW/CDC/BSS.
- 09-20-0102—Alien Mental Waiver Program. HEW/CDC/BE.
- 09-20-0103—Alien Tuberculosis Follow-up Program. HEW/CDC/BE.
- 09-20-0106—Specimen Handling for Testing and Related Data. HEW/CDC/BL.
- 09-20-0107—Dengue and Schistosomiasis Research Studies. HEW/CDC/BL.
- 09-20-0108—Diagnosis Program for Detection of Chromosomal Abnormalities in High Risk Patients. HEW/CDC/BL.
- 09-20-0109—Coronary Drug Project Files. HEW/CDC/BL.

- 09-20-0110—Clinical Associates Roster. HEW/CDC/BSS.
- 09-20-0112—CDC Exchange Visitor and Guest Researcher Records. HEW/CDC/OAM.
- 09-20-0113—Epidemic Investigation Case Records. HEW/CDC/BE.
- 09-20-0117—Medical and Test Record Results of Individuals Involved in NIOSH Laboratory Studies. HEW/CDC/NIOSH.
- 09-20-0118—Study at Work-Sites Where Agents Suspected of Being Occupational Hazards Exist. HEW/CDC/NIOSH.
- 09-20-0120—Equipment Field Test Studies. HEW/CDC/NIOSH.
- 09-20-0136—Epidemiologic Studies and Surveillance of Disease Problems. HEW/CDC/BE.
- 09-20-0137—Passport file. HEW/CDC/FMO.
- 09-20-0138—Epidemic Intelligence Service Officers Files. HEW/CDC/BE.
- 09-20-0147—DSHEFS Occupational Health Epidemiological Studies. HEW/CDC/NIOSH.
- 09-20-0148—Results of DBBS Hearing Studies. HEW/CDC/NIOSH.
- 09-20-0149—DRDS General Industry Morbidity Studies. HEW/CDC/NIOSH.
- 09-20-0150—DRDS Morbidity Studies in Coal Mining Activities. HEW/CDC/NIOSH.
- 09-20-0151—DRDS Mortality Studies in Coal Mining Activities. HEW/CDC/NIOSH.
- 09-20-0152—DRDS Mortality Studies in Non-Coal Mining Activities. HEW/CDC/NIOSH.
- 09-20-0153—DRDS General Industry Mortality Studies. HEW/CDC/NIOSH.
- 09-20-0154—DRDS Medical and Laboratory Studies. HEW/CDC/NIOSH.
- 09-20-0155—DRDS Morbidity Studies in Metal and Non-Metal Mining Activities. HEW/CDC/NIOSH.

Health Services Administration

- 09-15-0001—Division of Federal Employee Occupational Health, Employee Health Records. HEW/HSA/BMS.
- 09-15-0002—Record of Patients' Personal Valuables and Monies. HEW/HSA/BMS.
- 09-15-0003—Contract Physicians and Consultants. HEW/HSA/BMS.
- 09-15-0004—Federal Employee Occupational Health Data System. HEW/HSA/BMS.
- 09-15-0005—Dental Research - Evaluation of Restorative Materials. HEW/HSA/BMS.
- 09-15-0006—Cooperative Research Studies System: Coronary Artery Disease. HEW/HSA/BMS.
- 09-15-0007—Patients Medical Record System PHS Hospitals/Clinics. HEW/HSA/BMS.
- 09-15-0008—Emergency Non-PHS Treatment Authorization File. HEW/HSA/BMS.
- 09-15-0009—Cooperative Research Studies System: Pyelonephritis. HEW/HSA/BMS.
- 09-15-0010—Cooperative Research Studies System: Essential Hypertension. HEW/HSA/BMS.
- 09-15-0018—Unofficial Vital Records System. HEW/HSA/IHS.
- 09-15-0019—Health and Medical Records Systems. HEW/HSA/IHS.
- 09-15-0022—Accounts Receivable. DHEW/HSA/BMS.
- 09-15-0026—Medical Fellowships and Educational Loans. DHEW/HSA/OA.
- 09-15-0027—National Health Service Corps (NHSC), Bureau of Medical Services (BMS) and Indian Health Services (IHS) Pre-Applicant Recruitment and Provider File. HEW/HSA/BCHS.
- 09-15-0028—PHS Clinical Affiliation Trainee Records. HEW/HSA/BMS.
- 09-15-0029—PHS Beneficiary-Contract Medical/Health Care Records. HEW/HSA/BMS.
- 09-15-0034—Health Care Provider Profile. HEW/HSA/BMS.

Food and Drug Administration

- 09-10-0001—Quality Assurance Program. HEW/FDA/EDRO.
- 09-10-0002—Regulated Industry Employee Enforcement Records. HEW/FDA/ACMO.
- 09-10-0003—FDA Credential Holder File. HEW/FDA/EDRO.
- 09-10-0004—Communications (Oral and Written) With the Public. HEW/FDA/ACMO.
- 09-10-0005—State Food and Drug Official File. HEW/FDA/EDRO.

- 09-10-0006—Radiation Registry of Physicians. HEW/FDA/BRH.
- 09-10-0007—Science Advisor Research Associate Program (SARAP). HEW/FDA/EDRO.
- 09-10-0008—Radiation Protection Program Personnel Monitoring System. HEW/FDA/BRH.
- 09-10-0009—Individual and Household Statistical Surveys and Special Studies on FDA-Regulated Products. HEW/FDA/ACMO.
- 09-10-0010—Bioresearch Monitoring Information System. HEW/FDA/BD.
- 09-10-0011—Certified Retort Operators. HEW/FDA/BF.
- 09-10-0012—Association of Official Analytical Chemists (AOAC) Member File. HEW/FDA/AOAC.
- 09-10-0013—Employee Conduct Investigative Records. HEW/FDA/ACMO.
- 09-10-0014—Service Contractor Employee Investigative Records. HEW/FDA/ACMO.
- 09-10-0015—Blood Donors for Tissue Typing Sera and Cell Analysis and Related Research. HEW/FDA/BB.
- 09-10-0016—Cancer Patients on Laetrile and Physicians. HEW/FDA/BD.
- 09-10-0017—Epidemiological Research Studies of the Bureau of Radiological Health. HEW/FDA/BRH.

09-37-0001

Storage: Assistant Secretary for Health Correspondence Control System HEW/OASH/ES

Security classification: one.

System location:

Public Health Service
Room 17B-08
5600 Fishers Lane
Rockville, Md. 20857

Categories of individuals covered by the system: individuals who have contacted the Assistant Secretary for Health or have been contacted in writing by him.

Categories of records in the system: and copies of the Assistant Secretary for Health's correspondence and computer printout and tape control system records of that correspondence.

Authority for maintenance of the system: U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Correspondence records maintained in hard copy; control records maintained on computer printout, tape, and disc.

Retrievability: Hard copy records indexed alphabetically by name and date of outgoing correspondence and also by subject. Detailed cross-referencing on computer.

Safeguards: Records are maintained in file cabinets in a secure location. Access to computer system limited to specific individuals through use of passwords. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH records control schedule. The records control schedule may

be obtained by writing to the System Manager at the address indicated under system location above.

System manager(s) and address: Director, Executive Secretariat, Public Health Service (address as above).

Notification procedure: Inquiries should indicate the name of the individual with whom the Assistant Secretary for Health corresponded, the date of the incoming correspondence and the date of the outgoing correspondence. Inquiries should be addressed to the Director, Executive Secretariat, at the address above.

Record access procedures: Same as notification procedures. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Records are derived from incoming correspondence and the outgoing correspondence of the Assistant Secretary for Health.

Systems exempted from certain provisions of the act: None.

09-37-0002

System name: PHS Commissioned Officer Personnel Data System. HEW/OASH/OM

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations
Division
Office of Personnel Management/OM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Commissioned Officers, former commissioned officers, dependents and survivors of the above, and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: ADP tapes covering training, personnel actions, payroll, applicant and officer qualifications, minority group designator files, references, medical data, and similar personnel data.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq (42 U.S.C. 202 et seq.). Social Security Act Section 301 et seq. (42 U.S.C. 410(m) et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be transmitted for official purposes: to Office of Management and Budget for budgetary or management oversight purposes; and to Federal agencies and departments to which information may be provided from the records system entitled "PHS Commissioned Corps General Personnel Files and Records" (09-37-0007), for the same purposes stated there.

Disclosed to prospective employers or other organizations, at the request of the individual.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Various on disc, magnetic-tape, and some hard copy reports.

Retrievability: Alphabetically by name, by Public Health Service serial number, and by social security number in accordance with Section 7(a)(2)(B) of the Privacy Act. Used by HEW employees who process personnel operations and in the preparation of the Commissioned Officer and Promotion Seniority Roster.

Safeguards: Manual records are in restricted areas with building guard protection. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH records control schedule. The records control schedule may be obtained by writing to the System Manager.

System manager(s) and address: Director, Commissioned Personnel Operations Division (see system location).

Notification procedure: Write System Manager giving Social Security Number, if known, and name of the Officer.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From individual officers, references and applicants; and from personnel files.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except when, in accordance with the provisions of 5 U.S.C. 552a(k)(5), 1) disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or 2) if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (45 CFR 5b.11)

09-37-0003

System name: PHS Commissioned Corps Medical Records. HEW/OASH/OM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations
Division
Office of Personnel Management/OM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Commissioned Officers; applicants to the Commissioned Corps; deceased officers; retired and terminated officers; annuitants from the Commissioned Corps of the Public Health Service.

Categories of records in the system: Medical files and records on individuals covered; medical board records; death case files and supporting documents; and correspondence relating to the above.

Authority for maintenance of the system: Public Health Service Act 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provided to Veterans Administration in event of post-service claims or continued medical care while still on active duty. These records or information therefrom may also be provided to Department of Defense to assure continuity of medical care.

Copies of medical and personnel records may be provided to Department of Justice, Department of Transportation, Department of State, Environmental Protection Agency and other agencies covering Commissioned Officers assigned to those agencies.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable

that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

- Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Locked Lektrierer and Conserv-a-Files

Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH records control schedule. The records control schedule may be obtained by writing to the System Manager.

Retrievability: By name of officer or applicant listed alphabetically and by social security number in accordance with section 7(a)(2)(B) of the Privacy Act. Death case file used in social security processing. Used by HEW employees who make eligibility decisions; adjudications of entitlements; budgetary estimates; statistical data; and provide continuity of care between medical facilities.

Safeguards: Locked containers and building guard system.

Retention and disposal: Medical records retained indefinitely; non-selected applicant files destroyed after five years.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See System location above).

Notification procedure: An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)). Notification requests should be addressed to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From individual officers and other Commissioned Corps officials; applicants; private and governmental physicians; hospitals and clinics; investigative reports; official personnel folder; death certificates and reports of death; from survivors and executors of estates.

Systems exempted from certain provisions of the act: None.

09-37-0004

System name: PHS Commissioned Corps Training Files and Materials. HEW/OASH/OM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations
Division
Office of Personnel Management/OM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Commissioned Officers and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: Applications for and records of continued professional training; applications for and records of Commissioned Officers Student Training and Extern Programs (COSTEP), Commissioned Officer Residency Deferment Program (CORD), and Delayed Call To Active Duty Program (DCAD); references; and correspondence relating to the above.

Authority for maintenance of the system: Public Health Service Act section 218a and Section 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is: (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records kept in locked metal file cabinets in locked room.

Retrievability: By officer's name in alphabetical order and by social security number in accordance with Section 7(a)(2)(B) of the Privacy Act. Used by HEW employees who process these records for the purposes of eligibility review, record maintenance, budgetary estimates, and statistical data.

Safeguards: Locked containers and locked room, protected by building guard force.

Retention and disposal: Files retained in permanent PHS Commissioned Corps files and transferred to Official Personnel Folder when employee becomes inactive. Files maintained permanently within PHS.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See System location above).

Notification procedure: Write to System Manager to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From officers and applicants concerned, from references, and from official personnel folders.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except, when in accordance with the provisions of 5 U.S.C. 552a(k)(5); 1) disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or 2) if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (45 CFR 5b.11)

09-37-0005

System name: PHS Commissioned Corps Officer Board Proceedings, HEW/OASH/OM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations Division
Office of Personnel Management/OM/PHS
Room 4A-15, Parklawn Building,
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Commissioned Officers and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: Commissioned Officers Awards Board files consisting of nominations, citations and related documents. Records of board proceedings relating to appointment, promotion, separation, reduction in grade, retirement, and special pay (Variable Incentive and Continuation Pay), and supportive material.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq. (42 U.S.C. 202 et seq.); 5 U.S.C. 4501.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is: (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Metal file cabinets in locked room.

Retrievability: Alphabetical files by names of persons. Used by HEW employees who process or participate in Board actions which recommend or decide on appropriate actions in the categories listed and in the preparation of the Commissioned Officer and Promotor Seniority Roster.

Safeguards: Building guard force.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH records control schedule. The records control schedule may be obtained by writing to the System Manager.

System manager(s) and address: Director, Commissioned Personnel Operations Division (See System location above).

Notification procedure: Write to System Manager to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From individuals themselves or their service records, including efficiency and progress reports, from references, and from supervisors.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except, when in accordance with the provisions of 5 U.S.C. 552a(k)(5); 1) disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or 2) if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (45 CFR 5b.11) Pursuant to 5 U.S.C. 552a(k)(6) all material and information in this system of records about an individual that meet the criteria stated in 5 U.S.C. 552a(k)(6) are exempt from the requirements of 5 U.S.C. 552a(c)(3); (d); (e)(4)(G), (H), and (I); and (f) relating to access and contest, making an accounting of disclosure to the individual named in the record, maintenance of information in records, publication annually in the Federal Register, and provisions regarding agency rules in that portions of this system that relate to testing and examination materials that are used solely to determine individual qualifications for appointment or promotion in the U.S. Public Health Service Commissioned Corps. The specific material that is exempted is as follows:

- Answer keys.
- Ratings given for the purpose of validating examinations.
- Rating sheets.
- Rating schedules, including crediting plans.
- Transmutation tables.
- Test booklets.
- Test item files. (45 CFR 5b.11)

09-37-0006

System name: PHS Commissioned Officer Grievance; Non-Board and Pre-Board Involuntary Retirement, Involuntary Separation and Disciplinary Files. HEW/OASH/OM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations
Division

Office of Personnel Management/OM/PHS
Room 4A-15, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Commissioned officers and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: Files concerning grievances filed by or against commissioned officers; disciplinary actions, involuntary retirements and involuntary separations (non-board or pre-board actions) taken against commissioned officers; and correspondence related thereto.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq. (42 U.S.C. 202 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked metal cabinet.

Retrievability: Alphabetically by officer's name. Used by HEW officials who decide or process grievances, involuntary retirements, involuntary separations, or disciplinary actions or those assisting in these actions.

Safeguards: Locked cabinet in area under building guard surveillance.

Retention and disposal: Grievance files destroyed after two years. Others may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH records control schedule. The records control schedule may be obtained by writing to the System Manager.

System manager(s) and address: Director, Commissioned Personnel Operations Division, at the address under System Location above.

Notification procedure: Write to System Manager to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From the individuals themselves, from reports of investigations by Commissioned Personnel Operations Division, and from reports of review boards.

Systems exempted from certain provisions of the act: None.

09-37-0007

System name: PHS Commissioned Corps General Personnel Files and Records. HEW/OASH/OM.

Security classification: None.

System location:

Office of the Director, Commissioned Personnel Operations

Division

Office of Personnel Management/OM/PHS

Room 4A-15, Parklawn Building

5600 Fishers Lane

Rockville, Maryland 20857

Categories of individuals covered by the system: Commissioned Officers, former Commissioned Officers, dependents and survivors of the above, and applicants to the Commissioned Corps of the Public Health Service.

Categories of records in the system: These records contain application forms for appointment, references and other documents relating to qualifications or suitability for appointment and assignment; Service Record Cards (summarizing personnel actions); efficiency and progress reports; career development and training records; documents relating to promotion, retention, separation, and other personnel actions; applications and records of Service action relating to pay, travel, and allowances (including overseas educational allowances for dependents); applications and records of Service action relating to Commissioned Officer Residency Deferment Program (CORD) and Commissioned Officer Student Training and Extern Programs (COSTEP); survivor benefits; selection system applications; non-board terminations and reprimands, after final administrative action; identification and privilege card records; leave records; awards and authorizations; Official Personnel Folders; and correspondence relating to the above.

Authority for maintenance of the system: Public Health Service Act Section 201 et seq. (42 U.S.C. 202 et seq.). E.O. 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be disclosed as indicated below: To prospective employers or other organizations at the request of the individual; to other Federal agencies in the event of appointment of former officers;

to other Federal agencies to the extent necessary to obtain suitability and security investigation reports;

to the Department of Defense in the event of national emergency.

The Federal Housing Administration and the Veterans Administration may obtain the information in event of employment claims and benefits;

Bureau of Prisons (Department of Justice), Coast Guard (Department of Transportation), and Environmental Protection Agency may obtain copies of personnel documents relating to Commissioned Officer assignments to those agencies.

Records may be disclosed to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research (45 CFR, Part 5b, Appendix B, Item 101).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records kept in letrievers and Conserv-a-Files in secured area. Derogatory information kept in locked safe.

Retrievability: Alphabetically indexed by name of person and by social security number in accordance with Section 7(a)(2)(13) of the Privacy Act. Used by HEW officials for the purpose of review in connection with determining qualifications and suitability for appointment, selection, career development and training, transfers, promotions, obligations, retention and other personnel actions; and in the preparation of the Commissioned Officer and Promotion Seniority Roster.

Safeguards: Secured area, safes, and building guard force.

Retention and disposal: Applicant files destroyed after two years if not used; files of Corps officers may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH

records control schedule. The records control schedule may be obtained by writing to the System Manager. Identification and privilege cards and records disposed of when officer is no longer entitled to use.

System manager(s) and address: Director, Commissioned Personnel Operations Division. (See System location above.)

Notification procedure: Write only to System Manager to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact System Manager.

Record source categories: Information furnished by subject; references; reports of supervisors and other officials; personnel actions; and doctors.

Systems exempted from certain provisions of the act: Individuals will be provided information from the above record system except when in accordance with the provisions of 5 U.S.C. 552a(k)(5). 1) disclosure of such information would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence; or 2) if the information was obtained prior to the effective date of Section 3, P. L. 93-579, disclosure of such information would reveal the identity of a source who provided information under an implied promise that the identity of the source would be held in confidence. (45 CFR 5b.11).

09-37-0008

System name: PHS Commissioned Corps Unofficial Personnel Files and Other Station Files HEW/OASH/OM.

Security classification: None.

System location: Operating Offices of the Department responsible for the individual's employment.

Categories of individuals covered by the system: Commissioned Officers, former Commissioned Officers, with their dependents assigned to the subject installation.

Categories of records in the system: Duplication of any personnel records contained in 09-37-0007. In addition, there may be training records, billet descriptions, financial management documents, specialty board examination requests, medical residency (intern) evaluations, leave records, and identification and privilege card records. Correspondence relating to individuals covered.

Authority for maintenance of the system: Public Health Service Act, Section 201, et seq., (42 U.S.C. 202 et seq.); 10 U.S.C. 1071 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, rethining, and disposing of records in the system:

Storage: Records kept in secured area.

Retrievability: Alphabetically indexed by name of person. Used by DHEW officials who conduct personnel operations for the Commissioned Corps.

Safeguards: Records kept in secured area.

Retention and disposal: Station personnel files destroyed after two years if not used; leave records destroyed five years after separation; other files may be retired to a Federal Records Center and subsequently disposed of in accordance with the OASH records control schedule. The records control schedule may be obtained by writing to the System Manager. Identification and privilege cards and records disposed of when officer is no longer entitled to use.

System manager(s) and address: Administrative Officers where individual is employed.

Notification procedure: Individuals should contact their supervisors or the administrative offices of the organization unit in which employed regarding records pertaining to them.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information furnished by reports of supervisors and other officials, personnel actions, and the individual.

Systems exempted from certain provisions of the act: None.

09-37-0009

System name: Applied Statistics Training Institute: Applicants and Students. HEW/OASH/OHRST.

Security classification: None.

System location:

Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Applicants for and students of concentrated, intensive short-term courses related to health statistics. They are employees of Federal, State, and local governments and other persons in health-related fields engaged in collecting and analyzing vital and health statistics.

Categories of records in the system: Applied Statistics Training Institute applicant form which contains brief education information, current employment and courses in which applicant is interested.

Authority for maintenance of the system: Public Health Service Act Section 304(6)(1); (42 USC 242b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, rethining, and disposing of records in the system:

Storage: Alphabetically filed in file cabinet.

Retrievability: Used to set up courses, notify applicants of acceptance or non-acceptance, acceptance for a future course if necessary, and to plan for future courses not currently given in order to meet statistical needs of the health and health-related fields. Used exclusively within the National Center for Health Statistics, Office of Health Research, Statistics, and Technology. Retrievable by name.

Safeguards: Routine building security.

Retention and disposal: File destroyed six months after each course is completed.

System manager(s) and address:

Director
National Center for Health Statistics
Office of Health Research, Statistics and Technology
Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Voluntary submission of Application Form by person wishing to take the ASTI courses.

Systems exempted from certain provisions of the act: None.

09-37-0010

System name: Health and Demographic Surveys Conducted in Probability Samples of the U.S. Population. HEW/OASH/OHRST.

Security classification: None.

System location:

Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Individuals and members of households selected by probability sampling techniques to be representative of the civilian population of the United States.

Categories of records in the system: Statistical records containing information on: (1) the incidence of illness and accidental injuries, prevalence of diseases and impairments, the extent of disability, the utilization and cost of health care services, and other health characteristics of individuals obtained in household interviews and from their named health care providers and insurers; or (2) the nutritional status, prevalence levels of specially defined chronic diseases, growth and development patterns and distributions of various health related measurements and related data obtained in a survey involving health examinations, tests, and other measurement procedures; or (3) marital and child bearing history and intended future births, the use of prenatal care, and the family planning practices of individual women obtained by interview. Demographic and socioeconomic characteristics such as age, marital status, education, occupation, and family income are also obtained for individuals in this system of statistical records.

Authority for maintenance of the system: Public Health Service Act Section 306(b) (42 U.S.C. 242k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The data are disseminated for purposes of statistical research and analysis outside HEW in forms which do not permit the identification of individuals, such as publications of statistical tables, specially requested tabulations, and public use computer tapes. These are communicated to interested persons outside HEW, such as members of Congress and their staffs, other executive branch agencies, universities, States, cities, private foundations, etc. The findings are used by demographers, sociologists, health statisticians, epidemiologists, other scholars and concerned citizens, to evaluate health matters, make determinations on needs for legislation, appropriations, new service programs, and the like.

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records (45 CFR Part 5b, Appendix B, item (9)).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes without name and address information and are maintained on magnetic tapes for an indefinite period.

Retrievability: A serial number tied to the selection process of successively smaller geographic areas is assigned to each record on magnetic tape. This serial number also appears on the original record. Each magnetic tape containing records in this system has a unique identification number and title. Original survey records are reviewed

for accuracy, edited, and data (without personal identifiers such as name or SSN) are transferred to magnetic tape. Then the original records and/or microfilms are stored at the Federal Records Center. The tape is used for statistical purposes only. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation, to meet the legislative mandates of P.L. 93-353, to determine levels of illness and disability and their effects on the population, the use of health care facilities, trends in family formation and dissolution, and the like. Users consist of health planners, statisticians, epidemiologists, demographers, and others concerned with the problems of health and health care.

Safeguards: All employees of the National Center for Health Statistics (NCHS), as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individual information. Since the magnetic tapes have no name and address information, users of the tape could only identify specific individuals by relating the serial number on the tape to the original record. Only employees of NCHS are permitted access to the magnetic tapes with the serial numbers described above or to the files containing the original records or microfilms. Magnetic tapes with personal identifiers of individual records removed are made available for public use.

Retention and disposal: The original records are retained in office files of NCHS until the process of conversion to magnetic tape and verification of information is completed. This process is completed within approximately nine months. The original records are then sent to the Federal Records Center where they are stored for 5 years for interview survey records and 10 years for examination records. Microfilm copies of examination records are retained at the Federal Records Center for 40 years.

System manager(s) and address:

Director
National Center for Health Statistics
Office of Health Research, Statistics and Technology
Center Building
3700 East West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Record access procedures: Records are exempt from access. Appeal of access refusal may be made to the Assistant Secretary for Health. (This procedure is in accordance with Department regulations, 45 CFR Part 5b.11 (c) and (d).)

Contesting record procedures: None.

Record source categories: Respondents included in the survey samples.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d)(1) through (4), and (e)(4)(G) and (H) in accordance with the provision of subsection 552a(k)(4) of the Privacy Act of 1974. The reason this system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records.

09-37-0011

System name: Health Manpower Inventories and Surveys. HEW/OASH/OHRST.

Security classification: None.

System location:

Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Individuals trained in specific health occupation, such as dentists, nurses, pharmacists, optometrists, dental hygienists, and other providers of health care services.

Categories of records in the system: Statistical records containing information on educational attainment, place of education, activity status, place and setting of employment or practice, place of residence, date of birth, sex, and marital status.

Authority for maintenance of the system: Public Health Service Act Section 306(b) (42 U.S.C. 242k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The data are made available to Health Systems Agencies and the State Agency designated under P.L. 93-641 for statistical purposes only for developing and evaluating health plans and to the Bureau of Health Manpower for providing information and analyses that could be used in developing alternative strategies for the education of health manpower.

The data are also disseminated for the purpose of statistical research and analysis outside DHEW in forms which do not permit the identification of individuals, such as publication of statistical tables, specially requested tables, and public use magnetic tapes. These are communicated to interested persons outside DHEW, such as members of Congress, other executive branch agencies, professional associations, universities, States, cities, private foundations, etc. The statistical summaries are used by health manpower researchers, legislators, statisticians and concerned citizens to evaluate the Nation's health manpower resources, make determinations on needs for legislation, new health manpower training programs, and the like.

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records (45 CFR Part 5b, Appendix B, item (9)).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes with name and address information and are maintained for an indefinite period.

Retrievability: Name and address, date of the inventory or survey, and other identifiers permit the retrieval of a computer record of the individual's information contained on magnetic tape. Original records of information are reviewed by the contractor and/or National Center for Health Statistics (NCHS) staff for accuracy, edited, and data with personal identifier (such as name and address) are transferred to magnetic tape. The records are then matched by personal identifiers to produce an unduplicated file of individuals in a health occupation. The original records are then stored at either the State licensing boards, with the health professions association, or at the NCHS data processing center in Research Triangle Park, North Carolina. The tape is used for statistical purposes only. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation to meet legislative mandates of the Public Health Service Act, Section 306 (42 USC 242k), such as an annual report on health resources, including a description and analysis of the statistics included under Section 306(b)(1)(G). In addition, probability samples of individuals are selected by NCHS for statistical research purposes. Tables, magnetic tapes, and statistical samples of individuals are provided for statistical purposes only to the Bureau of Health Manpower for their use in determining health manpower scarcity areas, for loan forgiveness, and developing and evaluating educational and training programs for health manpower. Users consist of health manpower researchers, planners and statisticians.

Safeguards: All employees of NCHS, as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individuals information. Agreements are also obtained from the recipients of individual identifiable data described above which bind them to nondisclosure of information which permits the identification of individuals and limits the use of the data to statistical research and analysis. Similarly, as a provision of the contract, a contractor acting as a data collection and processing agent of NCHS assures that the confidentiality of the records will be maintained.

Retention and disposal: The original records are retained in the offices of national professional associations and/or State boards of licensure, or the NCHS data processing facility until the process of conversion to magnetic tape and verification of information is completed and a subsequent inventory or survey is initiated. For these reasons the records may be retained for a period of up to five years before disposal.

System manager(s) and address:

Director
National Center for Health Statistics
Office of Health Research, Statistics and Technology
Center Building

3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Record access procedures: Records are exempt from access. Appeal of access refusal may be made to the Assistant Secretary for Health. (This procedure is in accordance with Department regulations, 45 CFR Part 5b.11(c) and (d).)

Contesting record procedures: None.

Record source categories: Health practitioners, state licensing agencies, or professional associations.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d)(1) through (4), and (e)(4)(G) and (H) in accordance with the provision of subsection 552a(k)(4) of the Privacy Act of 1974. The reason that the system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records.

09-37-0012

System name: Vital Statistics for Births, Deaths, Fetal Deaths, Marriages and Divorces Occurring in the United States during Each Year. HEW/OASH/OHRST.

Security classification: None.

System location:

Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Individuals who are born and their parents; individuals who die; individuals who are married or divorced; and parents experiencing fetal deaths.

Categories of records in the system: The records include microfilm images of State records or machine-readable data prepared by the State from records collected under the laws of each State for births, deaths, fetal deaths, marriages and divorces. The records contain the demographic characteristics of individuals associated with each event. In addition, the birth records include information on the characteristics of each live birth, the health status of the infant, and socioeconomic characteristics of the parents. The death records contain medical information relating to cause of death and to socioeconomic characteristics of the deceased; the fetal death record contains medical information relating to cause of death and socioeconomic characteristics of the parents. Marriages and divorces include demographic and socioeconomic characteristics of both parties to the event and legal information regarding the event.

Periodically the National Center for Health Statistics (NCHS) conducts followback surveys, collecting information on random samples of births and deaths through mail questionnaires. The followback surveys are designed primarily to expand the scope of data that can be collected from the national registration system, to make the registration system more responsive to changing needs for data, and to evaluate the quality of data collected on the birth and death records. The content of questionnaires for the followback surveys varies. Past surveys have collected information on such topics as hospital utilization in the last year of life, smoking habits of the deceased, health status of infants, and pregnancy and employment histories of mothers.

Authority for maintenance of the system: Public Health Service Act Section 306(h) (42 USC 242 k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The processed data are disseminated for public use in forms that do not permit identification of individuals, such as published statistical tables, special unpublished tabulations, and public use computer tapes, which carry no individual identifiers. They are used by members of Congress and their staffs, other executive branch agencies, State and city governments, public and private research institutions, life insurance companies, faculty and students of universities, physicians, workers in health information, newspaper reporters and feature writers, etc. The findings are used to make determinations on needs for legislation, appropriations, and programs in the health field; to pinpoint health problems, measure progress of national health programs, and make population estimates; for epidemiological studies, marketing research, sociological studies, and studies of the family; and for other research directed at understanding our society.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States

where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes without name and address information and are maintained on magnetic tapes for an indefinite period.

Retrievability: The State file number is assigned to each record on magnetic tape linking it to the original certificate on file in the State vital statistics office. Data from the microfilm copies of certificates of births, deaths, fetal deaths, marriages and divorces submitted by some States are transferred to magnetic tape in coded form (without names or addresses) and are merged with the machine-readable data tapes furnished by States providing data through the Cooperative Health Statistics System. The tape is used for statistical purposes only. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis, and interpretation, to meet the legislative mandates of Public Law 93-353, i.e., to determine the extent and nature of illness and disability of the population of the U.S., including life expectancy and levels of infant and maternal mortality, environmental and other health hazards, trends in family formation, growth, and dissolution, and other related matters. Users consist of health planners, statisticians, epidemiologists, demographers, and others concerned with the problems of health, health care, and health hazards.

Safeguards: All employees of the National Center for Health Statistics (NCHS), as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individual information. Only employees of NCHS or employees of contractors who have signed similar affidavits are permitted access to the magnetic tapes containing the certificate numbers or to the files containing the microfilm copies of the certificates. The certificate numbers of the individual records and the geographic code identification of cities with less than 250,000 population are removed before the data tapes are released for public use. No identifying number appears on the public use tape that would link a record on that tape to any individual, to the NCHS master tape, to the microfilm file, or to the original certificate in the State vital statistics office.

Retention and disposal: The microfilm copies of the records are retained in office files of NCHS until the process of conversion to magnetic tape and verification of information is completed. The death records are sent to the Federal Records Center ten years after tabulation for deaths occurring during the three-year period surrounding census years and one year after tabulation for other years. They are held until disposed of, 15 years after tabulation for deaths of the census years, and five years after tabulation for other years. Records of births, fetal deaths, marriages, and divorces are disposed of two years after tabulation. The questionnaires for the followback surveys are destroyed after conversion to magnetic tape, tabulation, and analyses have been completed.

System manager(s) and address:

Director
National Center for Health Statistics
Office of Health Research, Statistics and Technology
Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Record access procedures: Records are exempt from access. Appeal of access refusal may be made to the Assistant Secretary for Health. (This procedure is in accordance with Department regulations, 45 CFR Part 5b.11(c) and (d).)

Contesting record procedures: None.

Record source categories: Vital statistics records are obtained from state vital statistics offices or, in rare instances, from other state or county repositories of marriage or divorce data. Information in follow-back surveys is obtained from hospitals, physicians, or relatives of the infants or the deceased.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been granted from the requirements contained in subsections 552a(c)(3), (d)(1) through (4),

and (e)(4)(G) and (H), in accordance with the provision of subsection 552a(k)(4) of the Privacy Act of 1974. The reason that the system has been exempted is that this system contains only records required by statute to be maintained and used solely as statistical records.

09-37-0013

System name: Health Resources Utilization Statistics. DHEW/OASH/OHRST.

Security classification: None.

System location:

Center Building
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Recipients of medical care included in statistical surveys and reports of the National Center for Health Statistics (NCHS), including: (1) staff and residents of nursing homes selected by random sampling techniques to be representative of nursing homes in the U.S.; (2) physicians providing office based medical care and patients visiting such physicians; (3) medical records from selected short-stay hospitals; and (4) persons visiting the family planning facilities participating in the National Reporting System for Family Planning Services.

Categories of records in the system: Statistical records containing information on: (1) the utilization of nursing home care through data on residents (demographic and social characteristics, health status, and charges paid for care) and the facility (general characteristics, certification, services offered, and expense); (2) the demographic characteristics, medical and other problems of persons visiting physicians' offices, and the physicians' diagnoses, treatment, and disposition decisions made during such visits as obtained from physicians during randomly assigned one-week survey periods; (3) the demographic characteristics, administrative information (admission and discharge dates, discharge status, and medical record number), and medical information (diagnoses and surgical procedures abstracted from the face sheet of short stay hospital medical records); and (4) family planning medical services provided by the clinics participating in a nationwide sample survey reporting system, the demographic and socioeconomic characteristics, including education and welfare status, of the recipients of these services, and the extent to which these services (excluding physicians' offices) are funded by Federal grants. In many cases, these records do not contain individual identifiers when they come under control of the National Center for Health Statistics; they carry only sequence numbers, which only the originating agency would be able to translate into a personal identifier—and even then, not in all cases. Names of residents and staff of nursing homes and patients of physicians are listed on separated forms for sampling purposes only and are not included in the final statistical records.

Authority for maintenance of the system: Public Health Service Act, Section 306(b)(42 U.S.C. 242k).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The data are disseminated for: (1) purposes of statistical research and analysis, and in the case of family planning statistics, for executing national family planning programs; (2) outside of DHEW in forms which do not permit the identification of individuals, such as publications of statistical tables, specially requested tabulations, and public use computer tapes. These are communicated to interested persons outside DHEW, such as members of Congress and their staffs, other executive branch agencies, universities and medical schools, State and local health planning agencies, private foundations, etc. The findings are used by demographers, sociologists, health statisticians, epidemiologists, medical educators, health planners, other scholars, and concerned citizens, to evaluate health matters, make determinations on needs for legislation, appropriations, new service programs, and the like.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are transferred onto magnetic tapes without name and address information and are maintained on magnetic tapes for an indefinite period.

Retrievability: Data are retrieved by individual identifier only in the editing stage of data processing and only for the purpose of correcting errors in the recording of information. Original survey records are reviewed for accuracy and edited, then data (without personal identifiers such as name or social security number) are transferred to magnetic tape. The original records are stored at the Federal Records Center. The tape is used for statistical purposes only, as specified by statute, Section 308(d) of Public Law 93-353. These uses include the preparation of aggregated data in the form of statistical tables for publication, analysis and interpretation to meet the legislative mandates of Public Law 93-353, i.e., collection of statistics on the utilization of health services, including the utilization of: (1) nursing home facilities to determine levels of illness and disability, effects on the institutionalized population, and the costs of care; (2) ambulatory health services by specialties and types of practice of the health professionals providing such services; (3) short-stay hospitals to determine characteristics of patients, length of stay, diagnosis and surgical operations, and patterns of use of care in hospitals of different size and ownership; (4) family planning facilities to provide statistics on the size of and services dispensed by these facilities, the numbers and characteristics of family planning patients, the overall proportion of the "target population" which is being reached by family planning programs on a national scale, and the like. The family planning data are distributed to the Deputy Assistant Secretary for Population Affairs, DHEW, the Bureau of Community Health Services, and others for the purpose of executing national family planning programs.

Safeguards: All employees of the National Center for Health Statistics (NCHS), as a condition of employment, sign an affidavit binding them to nondisclosure of identifiable individual information. Since the magnetic data tapes have no name and address information, users of the tape could only identify specific individuals by relating the identification number on the tape to the original record. Only employees of NCHS, NCHS contractors, the agency supplying the information in the first instance, or third parties with the written permission of the agency supplying the information are permitted access to the magnetic tapes with the identifying numbers described above or to the files containing the original reporting instruments. Magnetic tapes with identification numbers removed are made available to the public for statistical uses.

Retention and disposal: The original records are retained in office files of NCHS or NCHS contractors for two years. The procedure for family planning records differs in that the original documents are retained in office files for only two months. In all instances, the original records are then sent to the Federal Records Center where they are stored for five years.

System manager(s) and address:

Director, National Center for Health Statistics.
Center Building Office of Health Research, Statistics and
Technology
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Record access procedures: Records are exempt from access. Appeal of access refusal may be made to the Assistant Secretary for Health. (This procedure is in accordance with Department regulations, 45 CFR Part 5b.11(c) and (d).)

Contesting record procedures: None.

Record source categories: Hospitals, physicians, clinics, nursing homes, and other providers of health care.

Systems exempted from certain provisions of the act: With respect to this system of records, exemption has been granted from the requirements contained in Subsections 552a, (c)(3), (d)(1) through (4), and (e)(4)(G) and (H), in accordance with provisions of Subsections 552a (k)(4) of the Privacy Act of 1974. The reason for this exemption is that this system contains only records required by statute to be maintained and used solely as statistical records.

09-37-0014

System name: Curricula Vitae of Consultants to the National Center for Health Statistics HEW/OASH/OHRST

Security classification: None.

System location:

Center Building
3700 East-West Highway

Hyattsville, Maryland 20782

In offices of contractors employed to develop and maintain curricula vitae on consultants to the National Center for Health Statistics (NCHS). Contractor locations are available upon request directed to the System Manager.

Categories of individuals covered by the system: Persons who are current or potential consultants to NCHS. These are persons with special expertise who may be able to assist NCHS on a consultant basis in the planning and conducting of surveys, studies, statistical reporting programs, statistical analyses of data, or in providing training and technical assistance, or assisting in conducting conferences.

Categories of records in the system: Information relating to the professional training and experience of the consultant. This includes address, current position, employer, duties, place, time, and length of education, degrees received, honors received, former positions and work experiences, memberships in professional organizations, special committee and task force assignments, offices held, publications, references, health condition, availability for, and interest in travel and accepting certain assignments, compensation required, etc.

Authority for maintenance of the system: Public Health Service Act, Section 304(b) (42 U.S.C. 242b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The following routine uses from Appendix B of the Department Regulations (45 CFR Part 5b) are applicable to this system of records:

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto (Item (1)).

Where federal agencies having the power to subpoena other federal agencies records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available (Item (6)).

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records (Item (9)).

To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual (Item (10)).

To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research (Item (101)).

To organizations deemed qualified by the Secretary to carry out quality assessments, medical audits, or utilization review (Item (102)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The information is contained on paper records and computer-readable tape.

Retrievability: Information is retrieved by name, address, specialty, and by other characteristics. The data is used by staff of NCHS or its contractors for selecting consultants to assist in projects conducted or sponsored by NCHS.

Safeguards: Records are kept in locked metal cabinets or in a locked room when not in use. Records are used only by staff author-

ized to use them for the purpose for which they were obtained. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are maintained indefinitely. Records may be removed and destroyed upon the consultant's death, disability for consultant work, or request that his/her records be removed from the file.

System manager(s) and address:

Director, National Center for Health Statistics
Office of Health Research, Statistics and Technology
Center Building
3700 East-West Highway Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Information needed consists of name of individual. This notification procedure is in accordance with Department Regulations (45 CFR, Part 5b.5).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with the Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write to the Official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Part 5b.7)).

Record source categories: Records are obtained from the consultants themselves, except that references may be obtained from present and former employers or supervisors of the consultants, or from individuals given as references by the consultants.

Systems exempted from certain provisions of the act: None.

09-37-0015

System name: National Center for Health Services Research Grants Records System HEW/OASH/OHRST.

Security classification: None.

System location:

National Center for Health Services Research
Center Building
3700 East-West Highway
Hyattsville, Maryland 20782
and Regional Federal Records Center

Categories of individuals covered by the system: Principal Investigators and associated research and administrative personnel.

Categories of records in the system: Grant files, summary reports.

Authority for maintenance of the system: Public Health Service Act Sections 304, 305, 308, and 1205 (42 U.S.C. 242b, 242c, 242m, and 300d-4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation, determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records. (45 CFR, Part 5b, Appendix B, Item 8).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files.

Retrievability: Retrievable by name and grant number. The information in this system is used for review and analysis for planning and

policy formulation by NCHSR staff members and by other components of DHEW.

Safeguards: Locked file cabinets; general building security.

Retention and disposal: Approved grant applications and their respective files are retained at NCHSR for two years beyond the termination date of the project. Rejected grant applications are held for one year. The grant files are then retired to a Federal Records Center and subsequently disposed of in accordance with the PHS/OASH records control schedule. The records control schedule may be obtained by writing to the System Manager at the address below.

System manager(s) and address:

Chief, Grants Operations and Administration Branch
National Center for Health Services Research
Office of Health Research, Statistics and Technology
Center Building
Room 7-41
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, write to the System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applications from research community.

Systems exempted from certain provisions of the act: None. /*

Billing Code 4110-85-M

09-35-0005

System name: Cycle II Dentist Survey HEW/HRA/BHM.

Security classification: None.

System location:

Division of Computer Research and Technology, NIH Building
12
9000 Rockville Pike
Bethesda, Md. 20205

Categories of individuals covered by the system: All U. S. Dentists.

Categories of records in the system: 1. Name; 2. Practice location; 3. Practice characteristics; 4. Professional history.

Authority for maintenance of the system: Public Health Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tape.

Retrievability: The system is used to study the supply and distribution of dentists in each State. System is indexed by name within state.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Manpower Analysis Branch, DD
Center Building
Room 3-22
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: American Association of Dental Examiners.

Systems exempted from certain provisions of the act: None.

09-35-0007

System name: Public Health Service Scholarship and National Health Service Corps Scholarship Program HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 5-44
3700 East-West Highway
Hyattsville, Maryland 20782
Division of Computer Research and Technology, NIH Building
12
9000 Rockville Pike
Bethesda, Md 20205

Categories of individuals covered by the system: Students - Health Professionals as specified in 42 CFR 62 and 42 U.S.C. 294t 1) Applicants, 2) Recipients.

Categories of records in the system: Application and associated forms; recipient records also contain progress reports, payroll forms, deferment and placement data, Social Security Number

Authority for maintenance of the system: P.L. 92-585, and 42 U.S.C. 294t (section 751, PHS Act)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Name of scholarship recipient, professional school he or she is attending, and date of graduation are made available to health professions associations and other interested health professions groups which have responsibility for coordinating funds paid to students from Federal and other sources.

Disclosure is made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Department regulation 45 CFR 5b, Appendix B, item (101))

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Cabinets; ADP - Tapes.

Retrievability: The records in this system are used in the following manner: 1) Application - for the selection process by HRA and HSA 2) Recipient - Payroll, tuition and fees, tracking, deferment, defaults, & placement by HRA, HSA, central payroll and PHS claims office. **Retrievability:** Name, Award No., University, or by Social Security Number in accordance with section 7 (a)(2)(B) of the Privacy Act.

Safeguards: Locked file units. For computerized records, safeguards established in accordance with Department standards and

National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Director, Division of Manpower Analysis
Center Building
Room 5-44
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories:

Evaluation forms from school faculty - requested by student applicant
Educational Institution attended
Internship and/or residency training site
HSA and CPOD, OPM/H

Systems exempted from certain provisions of the act: None.

09-35-0009

System name: Chattanooga Incremental Care Program HEW/HRA/BHM.

Security classification: None.

System location:

Division of Computer Research and Technology, NIH Building
12
9000 Rockville Pike
Bethesda, Md. 20205

Categories of individuals covered by the system: Elementary School Children under treatment in Dental Care Program.

Categories of records in the system: Patient's Dental Records.

Authority for maintenance of the system: Public Health Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic Tape.

Retrievability: Provide timely, accurate, and easy-to-use response to program managers in Tennessee. Retrievable by system assigned I.D. Number.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Institutional Development Branch, Division of Dentistry
Center Building

3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. Regulations (45 CFR, Section 5b.7)).

Record source categories: Tennessee Department of Public Health. Systems exempted from certain provisions of the act: None.

09-35-0013

System name: Indo-China Refugee Physicians and Medical Students HEW/HRA/BHM.

Security classification: None.

System location:

Division of Computer Research and Technology, NIH Building
12
9000 Rockville Pike
Bethesda, Md. 20205

Division of Medicine
Center Building
Room 4-42
3700 East West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Indo-China physicians and medical students seeking certification by the Educational Commission for Foreign Medical Graduates or the National Board of Medical Examiners.

Categories of records in the system: Education and Demographic data.

Authority for maintenance of the system: 22 USC 2601.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To establish qualifications of Indo-China physicians and medical students for the ECFMG and the National Board of Medical Examiners examination. To be used by persons responsible for admitting candidates to training courses.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files and magnetic tape.

Retrievability: To establish credentials and eligibility for training. To be used by individuals assisting refugee physicians and medical students to qualify for the ECFMG and the National Board of Medical Examiners examination. Indexed by name.

Safeguards: Locked file cabinet. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, International Educational Programs Section, Educational Development and International Activities Branch/DM
Center Building
Room 4-42
3700 East-West Highway

Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Questionnaires completed by Indo-China physicians and medical students.

Systems exempted from certain provisions of the act: None.

09-35-0014

System name: National Research Service Awards HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 3-50
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Applicants for fellowships, recipients of fellowships.

Categories of records in the system: Biographical data, education & employment history, reference reports, research background, progress of res. training, transcripts.

Authority for maintenance of the system: Public Health Service Act Section 472(42 U.S.C. 2891-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: The purpose of the information in this file is for review and evaluation for fellowship support. Data is retrieved by name and application number.

Safeguards: All records are kept in locked files in a room locked during non-business hours. Only authorized personnel have access.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Nursing Research Br., DN
Center Building
Room 3-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applicants; references (supplied by applicant); sponsoring faculty member.

Systems exempted from certain provisions of the act: None.

09-35-0016

System name: Professional Nurse Traineeships - HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 3-50
3700 East-West Highway
Hyattsville, Maryland 20782

Division of Computer Research and Technology, NIH Building
12
9000 Rockville Pike
Bethesda, Md. 20205

Categories of individuals covered by the system: Registered nurses who have received traineeship awards.

Categories of records in the system: U.S. citizenship verification; nursing licensure verification; education & employment history; post-traineeship employment.

Authority for maintenance of the system: Public Health Service Act Section 821 (42 U.S.C. 297).

Information requests from participating schools regarding length of allowable support for a particular applicant.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and magnetic tapes.

Retrievability: The purpose of the information in this file is for the preparation of statistical tables and reports, and program review and evaluation. Data may be retrieved by name and I.D. number.

Safeguards: All records are kept in locked files in a room locked during non-business hours. Only authorized personnel have access. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Nursing Education Branch
Center Building
Room 3-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Participating school only.

Systems exempted from certain provisions of the act: None.

09-35-0021

System name: Disability Claims of the Nursing Student Loan Program-HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Applicants for cancellation due to disability.

Categories of records in the system: Letter requests claiming disability, correspondence, payment determinations and medical records or reports.

Authority for maintenance of the system: Public Health Service Act Section 836(42 U.S.C. 297b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files. Medical records or reports are temporarily held during medical evaluation and then returned to and retained by nursing schools upon final determination of claim validity.

Retrievability: Determination of validity of claims. Retrieved by name.

Safeguards: Locking file cabinets with access by authorized personnel only; general building security.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Assistance Branch/DMTS
Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual claimants.

Systems exempted from certain provisions of the act: None.

09-35-0022

System name: Disability Claims in the Health Professions Student Loan Program-HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Applicants for cancellation due to disability - medicine, dentistry, osteopathy, optometry, pharmacy, podiatry, veterinary medicine.

Categories of records in the system: Letter requests claiming disability, correspondence, payment determinations and medical records or reports.

Authority for maintenance of the system: Public Health Service Act Section 741(42 U.S.C. 294a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files. Medical records or reports are temporarily held during medical evaluation and then returned to and retained by schools upon final determination of claim validity.

Retrievability: Determination of validity of claim. Retrieved by name.

Safeguards: Locking file cabinets with access by authorized personnel only; general building security.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Assistance Branch/DMTS
Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual claimants.

Systems exempted from certain provisions of the act: None.

09-35-0023

System name: Health Professions Student Loan Repayment Program--HEW/HRA/BHM.

Security classification: None.

System location:

Division of Computer Research and Technology, NIH Building
12
9000 Rockville Pike
Bethesda, Maryland 20205

Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Applicants for repayment of health professions educational loans - medicine, dentistry, osteopathy, optometry, pharmacy, podiatry, veterinary medicine.

Categories of records in the system: Application and related documents, correspondence.

Authority for maintenance of the system: Public Health Service Act Section 741(f)(42 U.S.C. 294a(f)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files and computer tapes.

Retrievability: Justification of educational loans, certification of shortage area, legal agreement, payment, and completion of agreement. Retrieved by name.

Safeguards: Locking file cabinets with access by authorized personnel only; general building security. For computerized records, safeguards, established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Assistance Branch/DMTS
Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applicant's health professions school, lending institutions.

Systems exempted from certain provisions of the act: None.

09-35-0024

System name: Health Professions Student Loan Cancellation--HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Applicants for health professions student loan cancellation.

Categories of records in the system: Application and related documents, correspondence.

Authority for maintenance of the system: Public Health Service Act Section 741(f)(42 U.S.C. 294a(f)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it

deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files.

Retrievability: The system is used for approval, statistical and audit purposes. Retrieved by name.

Safeguards: Locking file cabinets with access by authorized personnel only; general building security.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Assistance Branch/DMTS
Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applicant, school and State Health Authority.

Systems exempted from certain provisions of the act: None.

09-35-0025

System name: Physician Shortage Area Scholarship Program—HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Division of Computer Research and Technology, NIH Building
12.
9000 Rockville Pike
Bethesda, Md. 20205

Categories of individuals covered by the system: Applicants and recipients of Physician Shortage Area grants. Medicine and osteopathic students.

Categories of records in the system: Physician shortage area, grant applications, awards, and correspondence.

Authority for maintenance of the system: Health Professions Educational Assistance Act of 1976, Section 409(b) (42 USC 295g)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files and computer storage.

Retrievability: This system is utilized for awarding, tracking, and placement to fulfill service obligation. Retrieved by name and program I.D. number.

Safeguards: Locking file cabinets with access by authorized personnel only; general building security. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Student and Institutional Assistance Branch/DMTS
Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applicants' health profession school.

Systems exempted from certain provisions of the act: None.

09-35-0026

System name: Cuban Loan Program—HEW/HRA/BHM.

Security classification: None.

System location:

Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland

Categories of individuals covered by the system: Applicants and recipients of Cuban Loan for medical students.

Categories of records in the system: Application and related documents, correspondence.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual file.

Retrievability: This system is used for awarding, tracking and collection of student loan. Retrieved by name.

Safeguards: Files are stored in locking file cabinets with access by authorized personnel only; general building security.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Chief, Fiscal Services Branch/DMTS
Center Building
Room 5-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists, contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applicant's health profession school.

Systems exempted from certain provisions of the act: None.

09-35-0027

System name: Consultant Roster for Office of Health Resources Opportunity - HEW/HRA/OHRO.

Security classification: None.

System location:

Center Building, Room 10-50
3700 East-West Highway
Hyattsville, Maryland 20782

Categories of individuals covered by the system: Private citizens employed as consultants by OHRO.

Categories of records in the system: Name, address, phone number, academic history, period of appointment, duties to be performed for OHRO.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape.

Retrievability: Resource list used by OHRO employees when consultants are needed. Retrievable by name.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records are disposed of in accordance with the HRA Records Control Schedule. Contact the System Manager for the disposal standard.

System manager(s) and address:

Administrative Officer, OHRO
Center Building, Room 10-50
3700 East-West Highway
Hyattsville, Maryland 20782

Notification procedure: To determine if a record exists contact the System Manager.

Record access procedures: Contact the System Manager and give a reasonable description of the record. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the System Manager giving a reasonable description of the record and specify the information you want to contest. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals, peer referrals, previous employers, meetings.

Systems exempted from certain provisions of the act: None. /*

Billing Code 4110-83-M

09-30-0002

System name: Statistical Research Data on Adolescent Runaways in Prince Georges County, Md., 1962-65 - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Mental Health Study Center
2340 University Boulevard, East
Adelphi, Maryland 20783

Categories of individuals covered by the system: Adolescent runaways in Prince Georges County, Md., 1962-65.

Categories of records in the system: Information obtained from interviews with subject individuals and parents or guardians.

Authority for maintenance of the system: Public Health Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Field notes, transcribed interviews, audio tapes of interviews, and punch cards.

Retrievability: Retrieved by number. Used for research purposes only by researcher.

Safeguards: Kept in locked filing cabinets. Indexes kept in separate locked cabinet. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Chief, Mental Health Study Center
2340 University Boulevard, East
Adelphi, Maryland 20783

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature, addressed to the System Manager identified above. The request should include the name of the researcher, if possible. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From the subject individuals themselves, and their parents or guardians, with their approval, cooperation and participation.

Systems exempted from certain provisions of the act: None.

09-30-0003

System name: Medical Record Files of Patients Seen in Therapy in Programs of the Mental Health Study Center - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Mental Health Study Center
2340 University Boulevard, East
Adelphi, Maryland 20783
and at contractor facilities. A list of contractor locations is available from the system manager.

Categories of individuals covered by the system: Patients seen in therapy in programs of the Mental Health Study Center.

Categories of records in the system: Consultation Record Form, intake questionnaire, progress notes, Patient Service Record Form, psychophysiologic and developmental tests, medical and social histories, physical examinations, clinical and behavioral observations and interview questionnaires, correspondence with community agencies, professionals on cases, and consent forms.

Authority for maintenance of the system: Public Health Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Medical record forms, case notes, logs, files and indexes.

Retrievability: Retrieved by case number and name. Used for clinical intervention by therapists and, with individual consent, for behavioral and basic research.

Safeguards: Only authorized research and service staff have access to records which are kept in locked file drawers. Index records kept in separate locked cabinets. Contractors are required to comply with the provisions of the Privacy Act and with the Departmental Regulations.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Chief, Mental Health Study Center
2340 University Boulevard, East
Adelphi, Maryland 20783

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature, addressed to the System Manager identified above. The request should include the name of the researcher, as well as the name of the study, if it is a named study. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)). A parent or guardian who requests notification of or access to a minor's record shall at the time the request is made designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The designate will receive the record in all cases and upon review will determine whether the record should be made available to the parent or guardian.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From the patients themselves with their approval, cooperation, and participation.

Systems exempted from certain provisions of the act: None.

09-30-0004

System name: Intramural Research Program Records of Research Performed on In- and Out-Patients with Various Types of Mental Illness - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

National Institutes of Health
9000 Rockville Pike
Bethesda, Maryland 20205

Saint Elizabeths Hospital
Washington, D. C. 20032

Categories of individuals covered by the system: In- and out-patients with emotional, psychiatric, and neurophysiological disability, normal subjects, and research subjects.

Categories of records in the system: Research data of wide variety including biochemical measures, psychophysiological and psychological tests, questionnaires, clinical and behavioral observations and interviews, physical examinations, and correspondence.

Authority for maintenance of the system: Public Health Service Act Sections 301, 302, and 303 (42 USC 241, 242, 242a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to approved collaborating national, state, international, and non-government researchers.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In original state; files, indexes, magnetic and other tapes.

Retrievability: Retrieved by name (coded). These records are used for diagnosis and treatment of patients with neuropsychiatric illnesses, and behavioral research relating to the causes, diagnoses, and treatment of neuropsychiatric disorders, and basic research on behavioral processes and personality development.

Safeguards: Only authorized medical and research staff have access to these records. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Intramural Research Program
National Institute of Mental Health
Building 36, Room 1A-07
9000 Rockville Pike
Bethesda, Maryland 20205

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature,

addressed to the system manager identified above. The request should include as much of the following information as possible: (a) Full name; (b) Nature of illness (if any); (c) Ward or laboratory; (d) Title of study; (e) Name of researcher conducting study. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)). A parent or guardian who requests notification of or access to a minor's record shall at the time the request is made designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The designate will receive the record in all cases and upon review will determine whether the record should be made available to the parent or guardian.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information gathered from individuals under study, either patient or normal subject, contract surveys, hospital records, medical and nursing staff notes.

Systems exempted from certain provisions of the act: None.

09-30-0005

System name: Saint Elizabeths Hospital Research Subjects Data Record - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Saint Elizabeths Hospital
Washington, D. C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Persons participating in approved research studies at Saint Elizabeths Hospital in the following categories: 1) in-patients, out-patients, former patients, and relations of patients; 2) hospital staff including stipended, trainees; and 3) non-hospital related subjects.

Categories of records in the system: Record categories include: data from interviews, medical and non-medical test and laboratory data, self-report information, informant observation data, and data from previous records. These data are contained in written documents, photographs, audio tapes, video tapes, and computerized records.

Authority for maintenance of the system: Public Health Service Act Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records are routinely disclosed to the following third parties outside HEW: 1) authorized researchers for purposes of basic research, program evaluation, and historical research; and 2) qualified physicians for the purpose of obtaining medical background data.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and filing cabinets; audio and video tape reels and storage cabinets.

Retrievability: System is filed by name, code, and/or hospital case number of subject, dates when research was conducted, research

program area, and primary investigator. Immediate purposes include: data analysis, case study illustration, hypothesis generating study, and subject reimbursement. Long-range purposes include: diagnosing and treating mental disorders, and improving diagnostic and treatment methods; generating new knowledge about the nature and causes of mental and emotional illnesses, and about rehabilitating the mentally ill; generating new knowledge about human behavior; program evaluation and assessment; and historical research.

Safeguards: Records are maintained in monitored offices and are only available to persons authorized to use records for purposes for which they were collected. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Hoffman Division of Research
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: Individuals in this system of records may learn if records about themselves exist upon written request, with notarized signature if request is by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of the Director, Hoffman Division of Research
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following data must be provided when requesting access:

- Full name, and date and place of birth;
- Inclusive dates of participation in the research study;
- Type of research study;
- Location of the unit where research was conducted;
- Name or primary investigator;
- The status of the requestor with respect to the hospital, e.g., in-patient, out-patient, former patient, staff or trainee, or non-hospital related subject;
- If possible, in the case of patients, the hospital number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Director, Hoffman Division of Research, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Information is obtained from research subjects, observers, previous records, and test results.

Systems exempted from certain provisions of the act: None.

09-30-0006

System name: Saint Elizabeths Hospital Medical-Surgical Support Program File System - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Saint Elizabeths Hospital
Medicine & Surgery, and Laboratory Branches
Washington, D.C. 20032

Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: All present and past patients and employees of Saint Elizabeths Hospital who received medical treatment and laboratory services.

Categories of records in the system: The Division of Medical-Surgical Support Programs is made up of two branches: (1) Medicine and Surgery Branch; and (2) Laboratory Branch. Listed below are records and logs peculiar to the Division of Medical-Surgical Support Programs only (not used outside the Division). The Medical-Surgical Support Program File System does not include any material which is located in a patient's medical record.

Medicine and Surgery Branch Records

1. Dental Department: X-ray films
2. Neurology Department: electroencephalographs and echoencephalographs
3. Department of Ophthalmology: photographs of eyes, interesting cases (card file)
4. Department of Radiology: X-ray films
5. Department of Surgery: cancer registry
6. Department of Rehabilitation Medicine: physical therapy treatment files and blind rehabilitation records

Medicine and Surgery Branch Logs

1. Evening-Night Physicians' Logs: Abstract of the cases handled during the tour of duty 5:00 p.m. to 8:30 a.m.
2. Death Information Book: Abstract of information regarding death of patient, notification of relatives, medical examiner and/or other third party.
3. Clinic Appointment Logs: Patients, employees, and (casually) visitors with identifying number and reason for appointment to 15 specialty clinics.
5. Admission and Transfer Logs in Eldridge Building and in Rehabilitation Medicine Building: identifies patient by name, case number, psychiatric service, date of admission, ward admitted to, date of discharge, and psychiatric service returned to.
6. X-ray Admission and Examination Log: daily record of patients examined and diagnostic findings.
7. Register of Operations: daily record of patients operated, type of surgery, participating staff, type of anesthesia, and postoperative condition.

Laboratory Branch Record Book: record of date of photograph and location of patients.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 DC Code 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. To insure continuity of care by providing information to outside physicians, dentists, laboratories, physical therapists, vocational rehabilitation therapists, etc. who are taking an active role in the further treatment of patients seen at the Medicine and Surgery and/or Laboratory Branches of Saint Elizabeths Hospital.
2. Information from the cancer registry is provided to the District of Columbia Cancer Registry as required by law.
3. Disclosure, to members of Professional Standards Review Organization for health care evaluation.
4. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 100).
5. To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 102).
6. Disclosures in the course of employee discipline or competence determination proceedings. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 103).
7. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
8. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

1. Dental X-ray films - file cabinets in the Main Dental Clinic Area.
2. Electroencephalographs and echoencephalographs - file cabinet in the Neurology Department Record Room.

3. Photographs of eyes of patients - file cabinet in the Eye Clinic.
4. Unusual Eye Case File - in a 5 x 3-inch card file in the Eye Clinic.
5. X-ray File Files - open shelf files and filing cabinets in the X-ray Department.
6. Cancer Registry - file cabinets in the Department of Surgery.
7. Physical Therapy Treatment Files - file cabinets in the Rehabilitation Medicine Department.
8. Blind Rehabilitation Records - file cabinets in the Rehabilitation Medicine Department.

Retrievability:

1. Dental X-ray films - hospital case number and name. For purposes of dental management and dental teaching.
2. Electroencephalograph and echoencephalograph - name, case number and date of examination. For purposes of examination and diagnosis of brain waves and lesions; teaching rounds, and graphic comparison of time of brain changes.
3. Unusual eye case file - by disease or condition name. For purposes of determination of extent of changes in eye conditions and teaching material.
4. X-ray films - patients name and case number or employee's name, social security number (terminal digit system.) For purposes of epidemiological study reference for teaching rounds.
5. Cancer Registry - name and case number. For purposes of compliance with law, management of patients, research and teaching.
6. Physical Therapy Treatment Files - name and date of evaluation. For purposes of continuity of physical therapy, treatment record and patient management.
7. Blind rehabilitation Records - name and case number. For purposes of departmental administration and planning.

Safeguards:

1. Dental X-ray films - supervision by personnel during day, locked at night.
2. Electroencephalographs and echoencephalographs - locked record room.
3. Photographs of eyes of patients - personnel supervision day, locked at night.
4. Unusual eye case file - personnel by day, locked night.
5. Cancer Registry - authorized personnel by day, locked night.
6. Physical Therapy Treatment Files - locked office.
7. Blind Rehabilitation Records - authorized personnel and locked office.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director of Medical-Surgical Support Programs
W. W. Eldridge Building
Saint Elizabeths Hospital
Washington, D. C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of the Director of the Medicine and Surgery Branch
W. W. Eldridge Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access:

- (a) Full name;
- (b) Approximate dates of enrollment or employment at St. Elizabeths Hospital;
- (c) The nature of the material desired. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Director of the Medicine and Surgery Branch, Eldridge Building, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories:

1. Dental X-ray films - Patients: inpatients and outpatients within hospital records and/or outside facility.
2. Electroencephalographic and echoencephalographic - graphs are derived electronically from the patient's brain.
3. Photographs of eyes of patients - photographs taken during internal or external examination of patients' eyes.
4. Unusual eye case file - result of examination in Eye Clinic.
5. X-ray films - films obtained during patients or employees' term in hospital and/or from outside sources; i.e., private physician or hospital.
6. Cancer Registry - clinical records private physicians, outside hospital.
7. Physical Therapy Treatment Files - physical therapist's notes, doctor's notes, prescription records.
8. Blind Rehabilitation Records - staff observation of progress.

Systems exempted from certain provisions of the act: None.

09-30-0007

System name: Saint Elizabeths Hospital Clinical Support Services Record System - HEW/ADAMHA/NIMH.

Security classification: None.

System location: This is a widely decentralized system of records at Saint Elizabeths Hospital. Records are kept in the offices of the various clinical support services operating at the Hospital. Included in this system are:

1. Occupational Therapy Section-Atkins Hall
2. Educational Rehabilitation Unit-Atkins Hall
3. Speech and Audiology Branch-Rehabilitation Medicine Building
4. Industrial Therapy Section-Atkins Hall
5. Dance Therapy Section-William A. White Building
6. Recreational Therapy-Hagan Hall
7. Musicology Unit-Dix Pavilion
8. Chaplaincy Program-Chapel
9. Psychodrama Unit - Hitchcock Hall
10. Individual Psychotherapists Offices-In various Divisions, Saint Elizabeths Hospital, Washington D.C. 20032 Records are stored at Federal Records Center, Suitland, Maryland.

Categories of individuals covered by the system: All past and present patients of Saint Elizabeths Hospital.

Categories of records in the system: Patient demographic data; records of patient participation in each of the above-named clinical support programs; therapists' informal notes of observations and evaluations of patient activities; clinical impressions; attendance records, test results, abstracts of notes and observations taken from the patient's medical record.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 DC Code 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is routinely disclosed to persons not employees of SEH, who have a responsibility for the examination and/or treatment of SEH patients;
2. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 100).
3. To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 102).
4. Disclosures in the course of employee discipline or competence determination proceedings. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 103).
5. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is

likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, index cards, punchcards, record logs and file cabinets.

Retrievability: Name, hospital number, dates of activities, location of activity.

Records are used:

1. To facilitate the treatment of patients at Saint Elizabeths Hospital.
2. To assess the physical, educational, vocational, recreational and psychological needs of patients at Saint Elizabeths Hospital and to provide for those needs.
3. To evaluate the effectiveness of the clinical support programs and to provide a basis for their continuing improvement.
4. To facilitate clinical support services, teaching programs and scientific research.

Indexes based on the clinical support services record system are used for the following purposes:

- a. speedy identification and location of specific patients;
- b. monitoring the completeness of patient records;
- c. monitoring the changing status of patients either in terms of transfers within the Hospital or outside the Hospital;
- d. easy identification of basic demographic data used for statistical and/or research purposes; and
- e. quick review of current treatment regimen.

Safeguards:

1. Available only to properly trained and screened personnel.
2. Access limited to authorized personnel only. Enforced by security guards; rooms are locked when unoccupied.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Clinical Support Programs
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: A patient or former patient may learn if a record exists upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of the Assistant Superintendent
A Building
Saint Elizabeth's Hospital
Washington, D. C. 20032

All of the following information must be provided when requesting access:

- (a) Full name;
- (b) Approximate dates of enrollment at St. Elizabeths Hospital;
- (c) The name of the division where the requestor resided, or received treatment as an outpatient;
- (d) The identity of the clinical support service and the approximate dates of participation in the program;
- (e) If possible, the name of the individual therapist;
- (f) If possible, the patient's hospital number. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Assistant Superintendent, A Building, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Past and present patients of Saint Elizabeths Hospital, various employees of the Hospital and the patients' medical/clinical record.

Systems exempted from certain provisions of the act: None

09-30-0008

System name: Saint Elizabeths Hospital Social Services Record System - HEW/ADAMHA/NIMH.

Security classification: None.

System location: A widely decentralized system at Saint Elizabeths Hospital. Individual records are kept in the offices of social workers responsible for patients on the rolls of the various Hospital Divisions. Social workers' offices are located in each inpatient and outpatient division or clinic at Saint Elizabeths Hospital.

Saint Elizabeths Hospital *
Washington, D.C. 20032
and Federal Records Center
Suitland Maryland

Categories of individuals covered by the system: All past and present patients on the rolls of Saint Elizabeths Hospital; home sponsors; caretakers; owners and operators of facilities providing services to patients.

Categories of records in the system: Files on inpatients and outpatients containing demographic data; social workers' contact with families and the community including social, marital and family status, job status; identifying information containing name, address, telephone numbers, social security numbers, Medicaid numbers, date of birth, legal status, financial information hospital number, V.A. numbers, Health Insurance numbers, Civil Service Numbers, family composition; Statement on background, names of relatives conservators with addresses and telephone numbers; correspondence sent other agencies; information regarding psychiatric and medical condition; Social histories; progress notes (carbon copies of notes placed in chart) hand written progress notes not in chart, return to hospital notes, interval histories, placement and planning notes; information regarding psychiatric and medical condition, financial resources, treatment plans, correspondence to relatives, friends other agencies, etc. Telephone interviews or conversations, incident reports and copies of reportable occurrences, group therapies and individual therapies by social workers, daycare status and group activities, religious histories; intra-agency evaluative and assessment data and reports received from other sources, outside agencies that provide supportive services; essential information regarding services sought or received.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 DC Code 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is routinely disclosed to the following sources for the purposes of obtaining financial assistance for patients, locating community recreation resources, providing job placement and training for patients, securing alternative placements in other institutions, providing education, securing living and care arrangements and aiding in follow-up care, and providing required reports to court, state government or Federal government agencies:

- a. Foster home sponsors, caretakers, owners and operators of facilities providing services to patients
- b. Agencies of the District of Columbia Government
- c. The Superior Court for the District of Columbia
- d. The United States District Court for the District of Columbia
- e. The Veteran's Administration
- f. The U.S. Civil Service Commission
- g. Anchor Mental Health Association
- h. State Departments of Social Services throughout the United States;

2. Information disclosed routinely to persons, who are not employees of SEH, on a need to know basis, who have a responsibility for the care and treatment of patients of SEH.

3. Disclosure may be made in accordance with Appendix B, Departmental Regulations, 45 CFR 5(b), as follows:

(1) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.

(9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(100) To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

(101) To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

(102) To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review.

(103) Disclosures in the course of employee discipline or competence determination proceedings.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to repre-

sent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index cards, folders, notebooks, file cabinets, desk drawers, Rolodex, Kardex, index boxes, logs, file folders, boxes, hanging desk file, manilla folders, wooden box, and vertical file.

Retrievability: By patient's name and staff's name. Records are used for:

1. Information used in planning to assess the patient's overall ability to be placed and to adjust or function in the type of environment for which he has referred.
2. Accountability to other hospital personnel and reference for recording or sharing information with staff and other necessary persons upon request.
3. To share information with team, reference for casework services and reference for completing forms.
4. To monitor patient's progress and periodically assess placement situations in outplacement facilities. To monitor outplacement facilities outside the hospital and assist in placement of patients by providing accurate, up-to-date information regarding available facilities; and to determine the status of compliance of a facility with certain standards through appropriate licensing agencies. To familiarize staff with outplacement facilities. Used to assess outplacement operators, administrators or owners ability to provide the level of care needed by individual patients. To share patient's background and appropriate information with outplacement owners, operators and sponsors.
5. To expedite family involvement in planning patient care and to expedite mobilization of community resources on behalf of the patient.
6. Resource in diagnosis, treatment, planning, prognosis goals and communication with other disciplines.
7. Resource material gathered by the social workers used to prepare narrative summaries for the patient's medical records.
8. To keep informed about social services provided patients; patients problem areas in the unit for purpose of evaluating services provided and need for action, and for reporting to the Clinical Directors or person in charge of service.
9. Identifying information concerning outplacement facilities given to patients periodically who request help in locating place to live.
10. Resource material used for purpose of diagnostic planning and implementation of treatment plan - documentation of services offered.
11. For reference in order to complete summaries for medical records; to have readily available pertinent information with which to respond to personal and telephone contacts; to provide needed information to hospital staff, officials of other agencies responsible for the provision of adjunct services.
12. Provide inservice training for continued professional development.
13. Provide Hospital staff and patients with essential information for selecting appropriate living arrangements for patients in the community.
14. To expedite family involvement in planning patient care and to expedite mobilization of community resources on behalf of patients.
15. Provide nutritional information to community placement service social workers; provide nutritional guidance and support to foster home sponsors and to advise staff of dietary practices in outplacement facilities and of nutritional (above #21) and historical purposes.
16. Provide information to placing workers of approved resources in order to facilitate the matching process of patient and outplacement operator as to insure the patient's optimum adjustment to community living.
17. A uniform system for location of staff, indication of qualification and areas of responsibility.

Safeguards: Offices locked, File cabinets locked, desk drawers locked. Material available only to appropriately trained staff:

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director of Social Services
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: Active or discharged patients in this system of records may learn if a record exists upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of the Director of Social Services
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access:

- (a) Full name;
 - (b) The approximate dates of contact with the hospital;
 - (c) The nature of the material desired.
- (d) Hospital number, if possible. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Director of Social Services, A Building, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Past and present patients of Saint Elizabeths Hospital, home sponsors, caretakers, owners, and operators of facilities providing services to Saint Elizabeths patients, other employees of Saint Elizabeths Hospital, employees of various agencies of the District of Columbia and the United States.

Systems exempted from certain provisions of the act: None.

09-30-0009

System name: Saint Elizabeths Hospital Multidisciplinary Raw Data Consultation Files - HEW/ADAMHA/NIMH.

Security classification: None.

System location: Widely decentralized at Saint Elizabeths Hospital. Raw data is stored according to location of the consulting discipline.

Saint Elizabeths Hospital
Washington, D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Past and present patients at Saint Elizabeths Hospital.

Categories of records in the system: Raw test data, plus a copy of formal reports based on the data which are included in patient's medical/clinical record.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 D.C. Code 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and index cards, file cabinets.

Retrievability: Each consulting discipline stores and manages its own files. Some are stored by patients' names alphabetized, some by patients' numbers, some by other types of categorizing, such as disease categories, year consultation was performed, referring clinical service, or an arbitrary numerical sequence. The latter usually involve a cross-indexing card file by patient name and/or patient number. Records are used for:

1. Detailed reference by consultants, following clinical requests for reassessment or more detailed information of patients previously tested.
2. Detailed comparison of test-retest results in cases where clinically indicated or requested.
3. Occasional compilations of specific clinical characteristics of statistical groupings, such as by disease entity, age, sex, etc. for clinical research and improvement of clinical reporting.

Safeguards: Files usually accessible only to qualified members of the consulting staff of the particular discipline, and are kept in staffed or otherwise locked offices.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Superintendent
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: A patient or former patient may learn if a record exists upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of Superintendent
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access:

- (a) Full name;
- (b) Approximate dates of enrollment at St. Elizabeth's Hospital;
- (c) The nature of the material desired;
- (d) If possible, the name of the person who collected the data.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of Superintendent, A Building, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Clinical testing of patients referred for consultation.

Systems exempted from certain provisions of the act: None.

09-30-0010

System name: Saint Elizabeths Hospital Juvenile Education Monitoring System - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system: All patients under 18 years of age on rolls of Saint Elizabeths Hospital.

Categories of records in the system: Inpatient and outpatient educational records. The educational records contain identifying data, name, date, and place of birth, age, sex, race legal category, leave and residential status, admission, discharged date, identification or relative and hospital identification, educational information, current functional level, educational achievement, medical neurological and/or psychological problems with significant influence, patient adjustment to educational program, past/present academic educational plan

or program. Reports or notes of others who contribute to a patients educational development.

Authority for maintenance of the system: 24 U.S.C. 161 and Mills v. Bd. of Education of the Dist. of Columbia, 348 F. Supp 866 (D.C. D.C. 1972).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. Disclosures in prepared reports for D.C. School Board personnel who are not employees of Saint Elizabeths Hospital.
3. Disclosures of information on patient's behalf in matters such as educational achievement needs to third parties whose involvement would be of benefit to the patient.
4. Disclosures in mandatory reports under Federal and local law.
5. Disclosures derived from St. Elizabeth's Hospital monitoring of educational programs for school-aged children to assure that all children are served and provided the Office of the Assistant Superintendent of the Public Schools of the District of Columbia as required under Mills v. Board of Education of D.C., 348 F. Supp 866 (D.C. D.C. 1972).

6. Transmittals of information to the Department of Special Education of the District of Columbia Public School System, to assist in coordinating educational efforts as mandated by Mills v. Board of Education of D.C., 348 F. Supp. 866 (D.C. D.C. 1972).

7. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are in the Administration Building. File folders with general educational record and correspondence files are kept in metal file cabinets. Index cards, monitoring cards, kardex are in their appropriate containers.

Retrievability: Index by patient's name, Hospital number division. The records are used as follows:

1. To monitor academic educational programs of patients under 18 years of age on rolls of Saint Elizabeths Hospital.
2. Documentation of a patient's educational achievement to provide for continuous monitoring and distribution by division.
3. To provide a continuous educational program, both medical and psychiatric, for the individual patient, including a follow-up program for reference upon future hospitalization.
4. Use by agency personnel for periodic assessment of the quality of educational achievement review.
5. To assist the staff in providing for a patient's educational needs.
6. To occasionally provide the basis for action in the course of employee discipline or competence determination proceedings.
7. To facilitate teaching programs and scientific research; to further knowledge in the areas of diagnosis and treatment, comparative studies and special educational programs.
8. Indexes based on the educational records are routinely used for: a. speedy identification and location of specific patients; b. monitoring the completeness of patient-educational records, particularly those under 18; c. monitoring the changing status of patients, either in terms of transfers within the Hospital or outside the Hospital; d. easy identification of basic demographic data used for statistical and/or research purposes; e. quick review of current treatment regimen in individual cases.

Safeguards:

1. Available only to properly trained and screened personnel.
2. Access limited to authorized personnel only. Enforced by security personnel. Rooms are locked when unoccupied.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for

these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Associate Director for Psychology
Administration Building, Room 308
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of the Associate Director for Psychology
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access:

- (a) Full name and home address
- (b) Approximate dates of enrollment at Saint Elizabeths Hospital
- (c) Division where treatment is or was provided, and education level
- (d) The nature of the material desired. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Associate Director for Psychology, A Building, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Educational records: a compilation of sociological, medical and historical data of a patient. The information recorded as given by the patient, his relatives, or other third persons interested in the patient; from existing records used as reference; from educational tests, such as physicians, psychiatrists, teachers, social worker; other therapists who entered their observations and assessment by means of progress notes, reports etc.

Systems exempted from certain provisions of the act: None.

09-30-0011

System name: Saint Elizabeths Hospital Central Admission Service Non-Admission File System - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Central Admission Service
Dix Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system: Individuals who have presented themselves at the Central Admission Service but who were not admitted to the rolls of Saint Elizabeths Hospital.

Categories of records in the system: Personal identifying data collected during admissions screening interview, information from previous hospitalizations of clinic enrollment, and information about individuals collected from telephone conversations with interested persons.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 D.C. Code 501, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the De-

partment of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets.

Retrievability: Filed alphabetically by name. To provide additional screening material in cases of repeated applications for admission of the same patient.

Safeguards: Access limited to authorized personnel only, enforced by security force, rooms locked when unoccupied.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Central Admissions Service
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: A person denied admission may learn if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to

Privacy Act Coordinator
Office of the Director
Central Admissions Service
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access: a. full name; b. approximate date the person sought admission; c. the nature of the material desired. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Director, Central Admissions Service, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Interviews with persons applying for admission but ultimately not admitted, hospital records of prior admissions, and information provided by other persons related to or interested in the person seeking admission.

Systems exempted from certain provisions of the act: None.

09-30-0012

System name: Saint Elizabeths Hospital Pre-Service Education Records - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Saint Elizabeths Hospital
Washington, D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Students and trainees in medical and non medical mental health education programs, including persons who receive stipends and those who do not.

Categories of records in the system: Record categories include: (1) application data including transcripts, references, special health records where indicated, evaluation of prior training or education; (2) assessment and evaluation data regarding educational experiences at SEH; and (3) correspondence. Data are contained in written documents, audio tapes, and video tapes.

Authority for maintenance of the system: Public Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records are routinely disclosed to the following third parties outside HEW: professional certifying and credentialing organizations, other training and teaching professionals or professional groups, and authorized researchers. Purposes of disclosure are for professional reference, professional education, program evaluation.

2. Also disclosures in the course of employee discipline or competence determination proceedings. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 103).

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and filing cabinets; audio and video tape reels in storage cabinets.

Retrievability: System is filed by name of individual, dates of training, disciplinary area in which training was received, primary supervisor, and whether the training was stipended or non-stipended. Records are used for: evaluation for selection and appointment; supervisory guidance and assessment; reference requests; specialized teaching resources, program evaluation and historical research.

Safeguards: Records are maintained in monitored offices and are only available to persons authorized to use records for the purposes for which they were collected.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Overholser Division of Training
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: Individual student or trainee may learn if a pre-service education record exists upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of Director
Overholser Division of Training, Saint Elizabeths Hospital
SEH
Washington, D.C. 20032

All the following identifying information must be provided when requesting access: a) full name; b) inclusive dates of training; c) specific disciplinary area in which training was received and organizational unit where assigned; d) name of primary supervisor; e) status in terms of stipended or non-stipended.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Director, Overholser Division of Training, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Information is secured from the individual trainee or student, persons supplying reference data, supervisory and administrative personnel, and other persons directly involved with the individual's educational program.

Systems exempted from certain provisions of the act: None.

09-30-0013

System name: Saint Elizabeths Hospital Training Videotape Records - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system: SEH patients, trainees and staff of SEH.

Categories of records in the system: Videotapes of interviews, activities, or other interactions between SEH patients and professional trainees and staff of SEH; authorizations (informed consent) signed by patients.

Authority for maintenance of the system: Public Health Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. To approved persons and organizations for program evaluation and/or research.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Videotape reels, authorizations retained in file folders.

Retrievability: Name of patient, name of interviewer. This record is used for training and education purposes.

Safeguards: Locked files in monitored offices.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Overholser Division of Training
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Office of the Director, Overholser Division of Training
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access: (a) full name; (b) approximate data of videotaping; (c) name of interviewer; (d) the capacity in which the requester had contact with the hospital; e.g., patient, staff member, trainee. (e) if possible, in the case of patients, the hospital number; (f) location of unit where videotaping occurred. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6 (c)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Director, Overholser Division of Training, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: SEH patients, trainees and staff.

Systems exempted from certain provisions of the act: None.

09-30-0014

System name: Saint Elizabeths Hospital Financial System - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Finance Office
Saint Elizabeths Hospital
Washington, D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Present and former employees and patients.

Categories of records in the system: Deposits; receipts; disbursements; balances; NCR ledger cards; vouchers; travel; education; billings; background history; and reimbursement claims; Industrial Therapy Program data, Internal Revenue Service Form W-4 and D.C. Government Form D-4, Payroll Summary sheets and individual patient ledger cards for patients and other patient worker's Industrial Therapy (PWITP) data and indebtedness letters.

Authority for maintenance of the system: Hospitalization of the Mentally Ill Act, 21 DC Code 511 et seq.; 24 USC 165 and 166; 31 USC 66A and 628a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. To pay travel claims, educational institutions; to collect from the D.C. Government and Federal agencies for care and treatment and collect for quarters, lost or damaged property & other indebtedness to the Government.

3. References for outside employment, referral source for determining if job placement meets a patient's therapeutic needs or if a referral to an outside agency is needed.

4. To determine amount of pay a patient earns for his Industrial Therapy assignment, and followup reasons for a patient's absence from his Industrial Therapy assignments.

5. Patients' Payroll for printing time sheets, payroll summary sheets, and income tax withholding forms and monthly or quarterly earnings and tax returns as required.

6. Also, disclosure may be made in accordance with Appendix B of DHEW Regulations (45 CFR 5b), as follows:

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Item (1)).

In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Item (5)).

Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available. (Item (6)).

7. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such

disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in metal filing cabinets, index cards, and IBM cards.

Retrievability: Voucher date and number; numerically (receipts for patient's funds); alphabetically by name; Health Insurance Number and Hospital Case Number (Health Insurance records); bill number (for billings). Records are used to record expenditures and reimbursements for services and goods and all other financial transactions consistent with the management of the Hospital.

Safeguards: Access is limited to personnel who process the data respectively. Offices are locked.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Finance Officer
Administration Building
St. Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Finance Office
Saint Elizabeths Hospital Washington, D.C. 20032

All of the following information must be provided when requesting access: (a) full name; (b) dates of the contact with Saint Elizabeths Hospital; (c) the Branch, Division, or Office with which the requestor had contact; (d) the capacity in which the requestor had contact with the hospital, e.g., patient, employee, vendor, representative of professional organization, etc; (e) the nature of the material desired.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Finance Office, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7.))

Record source categories: Patient name plates, patient's accounts, receipts for patients' funds (generated when cash or other funds are accepted from a patient), patients' payroll data from the Industrial Therapy Section.

Patients' clinical records, interviews with ward staff, patient and work supervisor. Patient vouchers from patient, employees, Finance Section, Personnel Branch, Agency Cashier, patients' relatives, committees, conservators and other Government agencies. Patients' account data from the Agent Cashier.

Health Insurance data from the Patient's Medical Record, Social Security Administration, relatives and conservators, and Registrar.

Billings for care and treatment, quarters, etc. and indebtedness to the Government, Biometrics Branch, Housekeeping Section, Agent Cashier, and Administrative Services Section.

Systems exempted from certain provisions of the act: None.

09-30-0015

System name: Saint Elizabeths Hospital General Security System - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Security Headquarters
Allison-B Building
St. Elizabeths Hospital
Washington, D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Former and Current Patients and Employees, Relatives, Volunteers and Visitors.

Categories of records in the system: Identifying information including one or more of name, hospital number, photo, key number, vehicle sticker number, authorization to admit, dates and times of visits, addresses and other personal data.

Authority for maintenance of the system: 24 USC 161, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 1).

2. In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 5).

3. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 100).

4. Disclosures in the course of employee discipline or competence determination proceedings. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 103).

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index cards, file folders, picture files.

Retrievability: Name, hospital number, sticker and key number, and chronologically. The purpose of this record is to monitor authorized access and exit of individuals and vehicles to and from Buildings and grounds of Hospital: accountability of building and room key assignments and vehicle sticker assignments; identification for search of missing persons.

Safeguards: 24 hour security guard.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Captain Security Force
St. Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: A patient, former patient, employee, former employee, relative, volunteer or visitor may learn if a record exists about himself/herself, upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Security Force

St. Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access: (a) full name; (b) the capacity in which the requestor had contact with St. Elizabeths Hospital; (c) the approximate dates of contact with the hospital; (d) the nature of the material desired.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Security Force, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Hospital Staff, Medical Records, patients and relatives.

Systems exempted from certain provisions of the act: None.

09-30-0016

System name: Saint Elizabeths Hospital Patients Personal Property Record System--HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Patients Property Unit
Glenside Building
Saint Elizabeths Hospital
Wash., D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Former & Current Patients.

Categories of records in the system: 1. Inventory of patients private property on admission, newly acquired property, released property, and unclaimed property. 2. Comments on condition of private property, damages, lost and storage status. 3. Receipts of authorizations for purchases & vendors receipts.

Authority for maintenance of the system: 24 USC 161, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 1).

3. In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 5).

4. Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 8).

5. Disclosures in the course of employee discipline or competence determination proceedings. (Appendix B, Departmental Regulations, 45 CFR 5(b), Item 103).

6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States

where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders and cards.

Retrievability: By name, alphabetized. This record is used for: documenting entries and releases of personal property; accounting and verifying documented inventories & purchases; for internal referrals by patient property office staff and legally appointed administrators.

Safeguards: Only patient property staff use files. At night office is locked.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Supervisory Storage Management Specialist
Patients Property Unit
Glenside Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: A patient or former patient may learn if a record exists upon written request, with notarized signature if request is made by mail, or with a suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Property Unit
Glenside Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following data must be provided when requesting access: (a) full name; (b) approximate dates of enrollment at Saint Elizabeths Hospital; (c) if possible, the patient's hospital number; (d) the nature of the material desired.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Property Unit, Glenside Building, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Admission report lists, ward reports, patients' correspondence files.

Systems exempted from certain provisions of the act: None.

09-30-0017

System name: Saint Elizabeths Hospital Legal Office Record System - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Legal Advisors Office
Administration Building
Saint Elizabeths Hospital
Wash., D.C. 20032

Categories of individuals covered by the system: Former and Current Patients and Employees.

Categories of records in the system: Information concerning the legal status and aspects of former and current patients and employees.

Authority for maintenance of the system: 42 U.S.C. 3504.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Negotiations with U.S. Attorney's Office, D.C. Courts, Mental Health Commission, Corporation Counsel, Justice Department, attor-

neys and other concerned with the legal considerations of patients and employees.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and index cards.

Retrievability: Patient or employee name. The purpose of this record is to determine, monitor, and follow up legal status, rights, and problems of individual employees and patients. Used as resource material in preparation for civil actions or proceedings.

Safeguards: Access restricted to Legal Office staff. Locked at night.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Legal Advisor
Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself, subject to the limitations of 5 USC 552a(d)(5), upon written request, with notarized signature if the request is made by mail, or with suitable identification if request is made in person, directed to:

Privacy Act Coordinator
Legal Advisor's Office
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access: (a) full name; (b) the capacity in which the requestor had contact with St. Elizabeths Hospital; (c) the approximate dates of contact with the hospital; (d) the nature of the material desired.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Legal Advisor's Office, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Patient records, commitment folders, staff reports, Auditors Office of D.C. Superior Court, Court System of D.C., Mental Health Commission U.S. Attorney's Office, Corporation Counsel and private attorneys.

Systems exempted from certain provisions of the act: None.

09-30-0018

System name: Saint Elizabeths Hospital Area D Community Mental Health Center Citizens Advisory Groups Records-HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Community Mental Health Center
Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system: Members of Citizens Advisory Committee, agencies, organizations, school students and citizens interested in CMHC activities.

Categories of records in the system: Names, addresses, telephone numbers, occupations, transmittal letters and various memoranda.

Authority for maintenance of the system: Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (42 U.S.C. 2661 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Mailing lists with names and addresses are exchanged with Area D citizens groups.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, index cards and paper tapes in cabinets.

Retrievability: By name. This is used to maintain a directory of persons and organizations and a file of communications with those who act in an advisory capacity to Mental Health Area D.

Safeguards: Access is limited to authorized personnel only. All personnel screened. Files locked after business hours.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Associate Director for Community Liaison and Public Education
Area D - CMHC, R Building
St. Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual in this system of records may learn if a record exists upon written request directed to:

Privacy Act Coordinator
Assoc. Director for Community Liaison and Public Education
Community Mental Health Center
St. Elizabeths Hospital
Washington, D.C. 20032

the following information must be provided when requesting access: (a) Full Name (b) capacity in which requestor had contact with the CMHC Area D Citizen Advisory group; (c) nature of information desired.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Associate Director for Community Liaison and Public Education, CMHC, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Information is voluntarily written on sign-in sheets at various community meetings and solicited through surveys.

Systems exempted from certain provisions of the act: None.

09-30-0019

System name: Saint Elizabeths Hospital Court-Ordered Forensic Investigatory Materials File-HEW/ADAMHA/NIMH.

Security classification: None.

System location: Active Patients:

Saint Elizabeths Hospital
John Howard Pavilion

Washington, D.C. 20032

Discharged patients: The court-ordered forensic investigatory materials files of discharged or expired patients are located in the Administration Building, Saint Elizabeths Hospital; the basement of that building; and inactive records older than four years are stored in the Federal Records Center in Suitland, Maryland.

Categories of individuals covered by the system: Past and present patients committed to Saint Elizabeths Hospital pursuant to the District of Columbia and United States Criminal Codes. Included are alleged criminal offenders sent for pre-trial examination; persons committed after having been found not guilty by reason of insanity; and mentally ill sentenced prisoners transferred from penal institutions.

Categories of records in the system: Court orders; criminal records; police reports; reports from the FBI and the Secret Service; prison records; reports from the United States Attorney and/or Corporation Counsel; correspondence from courts, defense attorneys and prosecutors; probation and parole reports; and correspondence from Saint Elizabeths Hospital to the Courts, prosecution, defense and correctional authorities.

Authority for maintenance of the system: 24 D.C. Code Sections 301(a), 301(b), 301(d), 302; 24 U.S.C. 161 and 211 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Psychiatric evaluations based in part on this record are forwarded to referring courts, pursuant to order, with copies to defense and prosecuting attorneys.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders in file cabinets.

Retrievability: Retrieved by name and hospital number. Records are used to aid in evaluation of patients regarding their competency and criminal responsibility, to aid in treatment of criminally committed patients, and to comply with court-ordered reporting.

Safeguards: Available only to properly trained and screened personnel. Access limited to authorized individuals only. Enforced by security personnel. Rooms are locked when unoccupied.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Chief, Pre-trial Section or
Chief, Post-trial Section
Division of Forensic Programs
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: These notification and access procedures are in accordance with Department Regulations (45 CFR, section 5b.11(c)).

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Courts, police department, FBI, Secret Service, prisons, U. S. Attorney, Corporation Counsel, defense attorneys, prosecuting attorneys, and correctional authorities.

Systems exempted from certain provisions of the act: Exemption from notification, record access and contest provisions granted under (j)(2) of the Privacy Act.

09-30-0020

System name: Administrative Records on Civilly Committed Drug Abusers Under the Narcotic Addict Rehabilitation Act-HEW/ADAMHA/NIDA.

Security classification: None.

System location:

Division of Community Assistance
National Institute on Drug Abuse
Room 9-12, Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Categories of individuals covered by the system: Civilly committed narcotic addicts.

Categories of records in the system: Administrative records of rehabilitation status, court orders and other legal documents.

Authority for maintenance of the system: Narcotic Addict Rehabilitation Act, Titles I and III (28 U.S.C. 290 et seq. and 42 U.S.C. 3411 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records stored in file folders within open shelves.

Retrievability: Filed alphabetically by patient name. Used to monitor patient progress from time of entrance into treatment program until discharge.

Safeguards: Only authorized Federal staff have access to these files. File room is locked after business hours.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Medical Records Administrator
Division of Community Assistance
National Institute on Drug Abuse
Room 9-12, Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Notification procedure: An individual may learn if there is a record about himself/herself upon written request, with notarized signature, addressed to the System Manager identified above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patients; drug treatment programs; courts.

Systems exempted from certain provisions of the act: None.

09-30-0021

System name: Patient Medical Records on PHS Beneficiaries and Civilly Committed Narcotic Addicts Treated at the PHS Hospitals at Lexington, Kentucky and Fort Worth, Texas—HEW/ADAMHA/NIDA.

Security classification: None.

System location:

Division of Community Assistance
Room 9-12, Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Division of Mental Health Services
National Institute of Mental Health
Room 11-105, Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Categories of individuals covered by the system: PHS beneficiaries treated prior to 1967 and civilly committed narcotic addicts treated after 1966.

Categories of records in the system: Medical records.

Authority for maintenance of the system: Public Health Service Act Sections 321-326, 341(a)and(c), (42 U.S.C. 248-253,257(a)and(c)); Narcotic Addict Rehabilitation Act, Titles I and II, (28 U.S.C. 2901 et seq. and 42 U.S.C. 3411 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy—file folders within file boxes; microfilm—within enclosed file cabinet.

Retrievability: Filed by patient hospital number.

Safeguards: Only authorized Federal staff trained in record retrieval are allowed access to these files. File room is locked after business hours.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Medical Record Administrator
Division of Community Assistance
National Institute on Drug Abuse
Room 9-12, Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Chief, Mental Health Care & Services Financing Branch
National Institute of Mental Health
Room 11-105, Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Notification procedure: An individual may learn if there is a record about himself/herself upon written request, with notarized signature, addressed to the System Manager identified above.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patients, drug treatment programs, and courts.

Systems exempted from certain provisions of the act: None.

09-30-0022

System name: National Institute on Drug Abuse Addiction Research Center Federal Prisoner and Non-Prisoner Patient Files—HEW/ADAMHA/NIDA.

Security classification: None.

System location:

NIDA Addiction Research Center
P. O. Box 12390
Leestown Road
Lexington, KY 40511

Categories of individuals covered by the system: Federal prisoners and non-prisoner volunteers in drug addiction research program.

Categories of records in the system: Research, medical, and pharmacy records.

Authority for maintenance of the system: Public Health Service Act, Sections 301, 341(a)(42 U.S.C. 241, 257(a)); Drug Abuse Office and Treatment Act Section 501(21 U.S.C. 1191).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders within locked file cabinets.

Retrievability: Filed alphabetically by patient name and project number. Records are used to evaluate and monitor patients' health; to record results of clinical experiments for analysis, presentation and publication of statistical reports.

Safeguards: Only authorized Federal staff are allowed access to these files. Files and fileroom are locked after business hours.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Program Assistant
NIDA Addiction Research Center
P.O. Box 12390
Leestown Road
Lexington, KY. 40511

Notification procedure: An individual may learn if there is a record about himself/herself upon written request, with notarized signature, addressed to the System Manager identified above. The request should include the patient's register number and the number of years of incarceration. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6). A parent or guardian who requests notification of or access to a minor's record shall at the time the request is made designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The designate will receive the record in all cases and upon review will determine whether the record should be made available to the parent or guardian. These notification and access procedures are in accordance with Department Regulations (45 CFR, section 5b.6 (c)(2)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patients; drug treatment programs; Bureau of Prisons; case workers; psychiatrists; research laboratories; and pharmacies and hospitals. Many of these records are confidential

and privileged communications as guaranteed under Section 344(d) of the PHS Act.

Systems exempted from certain provisions of the act: None.

09-30-0023

System name: Records of Contracts Awarded to Individuals. HEW/ADAMHA/OA

Security classification: None.

System location:

National Institute on Drug Abuse
Contracts Management Branch
Room 10-35, Parklawn Bldg.
5600 Fishers Lane
Rockville, MD 20857

National Institute on Alcohol Abuse and Alcoholism
Contracts Management Branch
14-C-04, Parklawn Building
5600 Fishers Lane
Rockville, MD 20857

National Institute of Mental Health
Grants and Contracts Management Branch, OPS
Room 7-C-02, Parklawn Building
5600 Fishers Lane
Rockville, MD 20857

Categories of individuals covered by the system: Contractors and contractors' personnel.

Categories of records in the system: Curriculum vitae, salary information, evaluations of contractors by contract review committees.

Authority for maintenance of the system: Public Health Service Act Section 301 (42 U.S.C. 241 and 41 U.S.C. 252(c)). NIDA: Drug Abuse Office and Treatment Act Sections 410 and 501 (21 U.S.C. 1177 and 1191). NIAAA: Community Mental Health Centers Act, Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 Sections 101, 311 (42 U.S.C. 4551, 4577). NIMH: Public Health Service Act Section 455.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents filed in folder in enclosed file cabinets.

Retrievability: By contract number and cross-indexed by name, except for NIMH. Used by contract review committee members in assessing a proposal.

Safeguards: Released only to authorized staff. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

National Institute on Drug Abuse
Chief, Contracts Management Branch, OPS
Room 10-35, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

National Institute on Alcohol Abuse and Alcoholism
Chief, Contracts Management Branch

Room 14-C-04, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

National Institute of Mental Health
Chief, Grants and Contracts Management Branch
Room 7-C-02, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

Notification procedure: Write to the system manager at the above address to learn if a record exists.

Record access procedures: Same as the above. Give number of contract under which employed and reasonably specify the record contents being sought. (These access procedures are in accordance with Department regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Write to the system manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR, Section 5b.7)).

Record source categories: Contract proposals and supporting documents, contract review committees, site visitors.

Systems exempted from certain provisions of the act: None.

09-30-0024

System name: Saint Elizabeths Hospital General Administrative Record Systems - HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Office of the Superintendent
Saint Elizabeths Hospital
2700 Martin Luther King, Jr. Ave. S.E.
Washington, D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Former, current, and potential patients and employees.

Categories of records in the system: (1) Data having potential legal consequences included in investigation reports; (2) letters; (3) memos; (4) minutes of meetings and conferences; (5) organizational charts and assignments; (6) copies of disclosures of medical, biographical, employment, and educational information made from said investigation reports, letters, etc.

Authority for maintenance of the system: 24 USC 161, 21 DC Code 1501, 21 DC Code 562, 5 USC 7902; Executive Order 11807, 9/28/74 and Presidential Safety Policy 10/24/1969.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Data are used for professional and medical and psychiatric consultations, examination by professional accrediting organizations, evaluation of potential patients for admission and employees for hiring, responses to Congressional requests and inquiries, reporting treatment provided pursuant to 24 USC 168a to the following federal and local agencies: the District of Columbia, The United States Bureau of Prisons, The Veterans Administration, The United States Soldiers Home, and The State Department, news releases subject to HEW guidelines.

2. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR 5b, Appendix B, item (1)).

3. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and

necessary to the requesting agency's decision on the matter. (45 CFR 5b, Appendix B, item (4)).

4. In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR 5b, Appendix B, item (5)).

5. Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available. (45 CFR 5b, Appendix B, item (6)).

6. Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization. (45 CFR 5b, Appendix B, item (7)).

7. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (45 CFR 5b, Appendix B, item (10)).

8. To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. (45 CFR 5b, Appendix B, item (102)).

9. Disclosures in the course of employee discipline or competence determination proceedings. (45 CFR 5b, Appendix B, item (103)).

10. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

11. The event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee; the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, index cards, subject record book, punch cards, mag tape, charts.

Retrievability: Chronological, name, hospital case number, grade, criminal case number. System is used to facilitate the management of the daily administrative functions within the hospital. These functions include the management of the Safety Program, the Fire Department, the House-Keeping Section, the Public Information Office, the Clinical Program; administration of medical, legal and criminal investigations, accident reports, conservator files, court calendars, evaluation and program assessment of the adequacy of the therapeutic activity, employee performance, conference procedures, organization charts, patient and employee assignments, and source material for Congressional and other requests approved by the record system manager.

Safeguards: Restricted access, personnel surveillance, locked files.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Superintendent
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to: Privacy Act Coordinator, Office of the Superintendent, Saint Elizabeth's Hospital, Washington, D.C. 20032. All of the following information must be provided when requesting access: (a) full name; (b) dates of the contact with Saint Elizabeths

Hospital; (c) the Branch, Division, or Office with which the requestor had contact; (d) the capacity in which the requestor had contact with the hospital, e.g., patient, employee, vendor, representative of professional organization, etc; (e) the nature of the material desired.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of the Superintendent, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Patient and Employee records, HEW, ADAMHA, NIMH, and SEH forms, correspondence, Public Media, Staff Consultants, Relatives, Auditors Reports, Conservators, U.S. Postal Service, U.S. and D.C. Courts, Public Defenders Service, D.C. Mental Health Commission, other persons or outside Agencies and Organizations offering information or initiating requests, volunteers offering services, interviews, minutes of conferences, seminars and meetings.

Systems exempted from certain provisions of the act: None.

09-30-0025

System name: Maryland Psychiatric Case Register-HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Division of Biometry and Epidemiology
NIMH
and
Parklawn Computer Center
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Persons who received care in psychiatric facilities in Maryland, and Maryland residents who received care in psychiatric facilities in the District of Columbia during the period July 1, 1961 - June 30, 1968.

Categories of records in the system: Information contained on admission, termination, and patient movement forms reported to Maryland Department of Mental Hygiene, including demographic, social, and psychiatric data pertaining to diagnosis, nature of problem and type of treatment. Also, death data (e.g., cause) from Baltimore and State of Maryland death certificate records. Period covered: July 1, 1961 - June 30, 1968.

Authority for maintenance of the system: Public Health Service Act Sections 301, 433(a), 455(42 U.S.C. 241, 289k, 289k-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Authorized representatives of agencies and organizations to process data for epidemiologic and service utilization research studies and analyses based on data contained within the register or by relating or matching of register data to information from other data systems; develop methodological techniques. Results of studies and analyses appear only in group data form.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes, punch cards, computer printouts.

Retrievability: By register identification number, name. The records are being used or intended for use to develop grouped statistical data relating to: (1) social security earnings; (2) information collected in a special 1963 population census of the residents of Washington County, Maryland.

Safeguards: Only authorized research and computer staff have access to files. For computerized records, safeguards established in accordance with Department standards and National Bureau of

Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Chief, Applied Biometrics Research Branch
Division of Biometry and Epidemiology
National Institute of Mental Health
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure: To determine if a record exists, write to the system manager.

Record access procedures: Access procedures regarding exempt systems of records are in accordance with Department Regulations (45 CFR, section 5b.11(c) and (d)).

Contesting record procedures: If access has been granted, write to the system manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR, Section 5b.7)).

Record source categories: Forms submitted by psychiatric facilities to Maryland Department of Mental Hygiene, and Maryland death certificate records. Also from (1) Social Security Administration aggregate data; (2) The Johns Hopkins University (Washington County (Md.) Census Data).

Systems exempted from certain provisions of the act: An exemption from notification access and contest as a statistical record system under Section 3 (f)(k)(4) of the Privacy Act has been granted.

09-30-0026

System name: Saint Elizabeths Hospital Research Project Record-HEW/ADAMHA/NIMH.

Security classification: None.

System location:

Behavioral Studies Building
Saint Elizabeths Hospital
Washington, D.C. 20032
and Federal Records Center
Suitland, Maryland

Categories of individuals covered by the system: Persons who seek approval or who have obtained approval to conduct research projects at Saint Elizabeths Hospital.

Categories of records in the system: Written documents pertaining to research project proposals and/or results obtained from approved research studies, research protocols, and curriculum vitae of research applicants.

Authority for maintenance of the system: 24 U.S.C. 161, Public Health Service Act Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records are routinely disclosed for purposes of program evaluation and historical research to approved investigators by the Saint Elizabeths Hospital Research Review Board.

2. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit (45 CFR 5b, Appendix B, item (4)).

3. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (45 CFR 5b, Appendix B, item (100)).

4. Disclosures in the course of employee discipline or competence determination proceedings (45 CFR 5b, Appendix B, item (103)).

5. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is

likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and filing cabinets.

Retrievability: System is filed by name of primary investigator, and date of research proposal submission, title of research project, and date of research completion. The purposes of this record are to: (1) evaluate research proposals for official approval; (2) disseminate results obtained from approved research studies; (3) program evaluation and historical research.

Safeguards: Records are kept in monitored offices and are only available to persons authorized to use records for the purposes for which they were collected.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Hoffman Division of Research
Saint Elizabeths Hospital
Washington, D.C.

Notification procedure: Individual may learn if a record about himself/herself exists upon written request with notarized signature if request is made by mail, or with suitable identification if request is made in person, to Privacy Act Coordinator, Office of Director, Hoffman Division of Research, SEH, Washington, D.C. 20032. All of the following information must be provided: (a) full name; (b) dates when research project was proposed, approved or disapproved and completed; (c) staff position held in terms of staff, trainees, or outside investigator; (d) title of research project.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Office of Director, Hoffman Division of Research, Saint Elizabeths Hospital, Washington, D.C. 20032. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7).)

Record source categories: Information is obtained from the primary research investigator, and supervisory and administrative personnel.

Systems exempted from certain provisions of the act: None.

09-30-0027

System name: Grants; Research; Research Training; Research Scientist Development, Fellowships, Clinical Training; Community Services - HEW/ADAMHA/OA.

Security classification: None.

System location:

National Institute on Drug Abuse
Grants Management Branch
Room 9A-19, Parklawn Bldg.
5600 Fishers Lane
Rockville, Maryland 20857

National Institute on Alcohol Abuse and Alcoholism
Grants Management Branch
Room 18-86, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

National Institute of Mental Health
Grants and Contracts Management Branch, OPS
Room 7C-02, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Principal investigators, program directors, trainees, fellows, Research Scientist Development awardees, and other employees of applicant or grantee institutions.

Categories of records in the system: Grant applications and review history, including curriculum vitae, salary information, summary of review committee deliberations, progress reports, financial records, National Research Services Act awardee payback records and related documents.

Authority for maintenance of the system: NIDA: Public Health Service Act Section 301(42) U.S.C. 241; Section 251 (42 U.S.C. 2688k) Community Mental Health Centers Act Section 410 (21 U.S.C. 1177); and the Drug Abuse Office and Treatment Act of 1972. NIAAA: Public Health Service Act Section 301 (42 U.S.C. 241); Comprehensive Alcohol Abuse and Alcoholism Treatment and Rehabilitation Act of 1970 Sections 101, 311 (42 U.S.C. 4551, 4577). NIMH: Public Health Service Act Section 301, 303(a), 433(a), 455, and 472(a)(1)(A), (42 U.S.C. 241, 242a-289c, 289k-1, and 289l-1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (45 CFR 5b, Appendix B, Item (2)).

2. to qualified experts not within the definition of Department employees (45 CFR, Part 5b.2), for opinion during the application review process.

3. to individuals and organizations deemed qualified by the Secretary (45 CFR 5b, Appendix B, item (101)) to carry out specific research solely for the purpose of carrying out such research.

4. to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits, or utilization review: (45 CFR 5b, Appendix B, item (102)).

5. to the cognizant Audit Agency and the General Accounting Office for auditing.

6. to the Department of Justice or other law enforcement agencies as required for litigation.

7. to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

8. Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available. (Appendix B, Departmental Regulations, 45 CFR 5b, Item 6).

9. Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records. (Appendix B, Departmental Regulations, 45 CFR 5b, Item 8).

10. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

11. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents filed in folders in enclosed file cabinets and open shelves. Information on 3 x 5 cards in file cabinets.

Retrievability: By grant numbers and cross-indexed by name. Used by staff program and management specialists for purpose of awarding and monitoring grant funds. Information is also used to maintain communication with former trainees/fellows who have incurred an obligation through the National Research Award Program.

Safeguards: Only authorized personnel have access to the files. For computerized records, safeguards established in accordance with De-

partment standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

National Institute on Drug Abuse
Chief, Grants Management Branch, OPS
Room 9A-19, Parklawn Building
5600 Fisher's Lane
Rockville, Md. 20857

National Institute on Alcohol Abuse and Alcoholism
Chief, Grants Management Branch
Room 16-86, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

National Institute of Mental Health
Chief, Grants and Contracts Management Branch
Room 7C-02, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

Notification procedure: Write to the system manager at the applicable address above to learn if a record exists.

Record access procedures: Same as above. Requesters should also reasonably specify the record contents being sought, and should provide the official grant or fellowship number when possible. (These procedures are in accordance with Department regulations (45 CFR 5b 5(a)(2)).

Contesting record procedures: Write to the system manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR, Section 5b.7)).

Record source categories: Applicants, grantees, fellows, trainees, personnel at grantee institution on whom the record is maintained, Federal advisory committees, site visitors, consultants, references.

Systems exempted from certain provisions of the act: None.

09-30-0028

System name: Saint Elizabeths Hospital General Medical/Clinical Records System and Related Indexes—HEW/ADAMHA/NIMH.

Security classification: None.

System location: This is a widely decentralized system of records. The medical/clinical records of active patients on the rolls of the Hospital, which were written after July 1, 1973, are located in the specific division where an individual patient is residing or, in the case of outpatients, at the location of the specific outpatient clinic where they receive treatment. The medical/clinical records of active patients who were admitted to Saint Elizabeths Hospital prior to July 1, 1973, and which were written prior to that date, are located in A Building, Room 121 and in the basement of that building, with duplicate copies of those records located in the clinical division where the patient resided or was served as an outpatient. The medical/clinical records of discharged or deceased patients are located in A Building, Room 121 and the basement of that building, and inactive records older than four years are stored in the Federal Records Center in Suitland, Maryland. In addition to the medical/clinical records themselves, SEH maintains numerous card files which contain limited information relating to identification of past and present patients taken from the medical/clinical record and used for management and monitoring purposes. These card files are located throughout the Hospital. Records are located at Saint Elizabeths Hospital, Washington, D.C. 20032, and Federal Records Center, Suitland, Maryland.

Categories of individuals covered by the system: All past and present patients of Saint Elizabeths Hospital.

Categories of records in the system: Inpatient and outpatient psychiatric medical/clinical records. The medical/clinical record contains identifying data (name, date and place of birth, age, sex, race, marital status, legal category, social security number, leave and residential status, admission and discharge dates, identification of relatives and Hospital identification number) and medical/clinical information (physician's admission note, results of physical examinations, descriptions of patient's present and past physical and mental health, diagnosis, prognosis, consultant's opinions, social history, treatment plan, results of diagnostic tests and procedures, notes of patient's response

to treatment, progress notes, nurses notes, incident reports, and reports or notes of others who contributed to a patient's treatment and/or social work efforts, and correspondence with Saint Elizabeths Hospital concerning such a patient.

Authority for maintenance of the system: 24 USC 161, et seq.; 21 DC Code 562.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made:
 - a. To facilitate treatment of patient when admitted to other facilities; to send records to new physicians.
 - b. To personnel who are not employees of the hospital for accreditation or licensure of the hospital.
 - c. Of impersonal documents (i.e. with personal identifiers removed) to facilitate teaching programs and scientific research, to further knowledge in the area of diagnosis and treatment.
 - d. Of reports to a referring source such as a physician or a court; to give out to authorized parties, who have legitimate interests in the patient, who are not an employee by or connected with Saint Elizabeths Hospital.
 - e. To help satisfy a patient's medicolegal needs.
 - f. To be disclosed to Professional Standards Review Organizations for health care evaluation.
 - g. To the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations, 45 CFR 5b, Item 100).
 - h. To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Departmental Regulations, 45 CFR 5b, Item 101).
 - i. To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. (Appendix B, Departmental Regulations, 45 CFR 5b, Item 102).
 - j. In the course of employee discipline or competence determination proceedings. (Appendix B, Departmental Regulations, 45 CFR 5b, Item 103).
 - k. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

1. At Division level (Active Patients) - File folders with general medical record and correspondence file are kept in metal file cabinets. Index cards, monitoring cards, kardex and addressograph plates are kept in their appropriate containers.
2. At Administration level (Discharged and Deceased Patients) - Clinical and correspondence records are filed in separate coded folders with unit numbering system. Patients index - 3x5 card file of all patients hospitalized or treated at SEH in a Kardex; Diagnostic Indexes - a 5x7 separate index card file stored in a Visu-Triver.

Retrievability:

Data are retrieved by patient's name and hospital number.

Purposes of the system are:

1. To document a patient's illness, chief complaint, history, physical examination, diagnostic test and procedure reports, to plan treatment either as an inpatient or an outpatient.
2. To promote continuity of care for follow-up of treatment; for reference upon future treatment and care.
3. To provide basis for reports mandatory under Federal and local laws.
4. In some instances, to provide as a basis for action in the course of employee discipline or competence determination proceedings.
5. To transact hospital business in filing insurance claims, verification of patient's competency, disability, or retirement benefits, verification of leave status and residence.
6. To serve as a basis for hospital administrative planning and evaluation of its programs.
7. To serve as impersonal documents for the hospital staff continuing education and studies.
8. To be used by hospital staff for assessment of the quality of treatment, for medical audit and utilization review.
9. To be used for the legal defense of the hospital and its staff in cases where a claim is based on patient's mental or physical conditions and arising from the patient's treatment at Saint Elizabeths Hospital.
10. To be used for statistical reports, monthly analysis of clinical division services, monthly, quarterly, annual reports.
11. To serve as a basis for reports to accrediting agencies, Joint Commission on Accreditation of Hospitals, American Hospital Association, American Psychiatric Association, Medicare Licensure, etc.
12. Indexes based on the medical/clinical record are routinely used for: (a) speedy identification and location of specific patients; (b) monitoring the completeness of patient records, particularly those discharged or deceased; (c) to monitor the changing status of patients either in terms of transfers within the Hospital or outside the Hospital; (d) easy identification of basic demographic data used for statistical and/or research purposes; and, (e) quick review of current treatment regimen in some cases.

Safeguards:

1. Available only to properly trained and screened personnel.
2. Access limited to authorized individuals only. Enforced by Security personnel. Room are locked when unoccupied.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

I. Primary (Administration)

Superintendent
Room 105, Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Chief, Medical Records Librarian
Administration Building
Saint Elizabeths Hospital
Washington, D.C. 20032

II. Secondary (Division Level)

Director
Area D Community Mental Health Center
Dix Building

Director

Division of Child and Adolescent Services
Dix Building

Director
Noyes Division
Noyes 7

Director
Forensic Division
John Howard Pavilion

Director
Godding Division
Godding 6

Director
Marr Division
Nichols Building

Director
Mental Health Program for the Deaf
L Building

Director
Medicine and Surgery Branch
W W Eldridge Bldg.

Director
O'Malley Division
Q Building

Director
Richardson Division
P Building

Clinical Director
William A. White Division
William A. White Building

Notification procedure: A patient or former patient may learn if a record exists upon written request, with notarized signature if request is made by mail, or with suitable proof of identity if request is made in person, directed to, as appropriate:

Active Patients:
Privacy Act Coordinator
Office of the Director (Division where person receives treatment; see list under "System Manager")
Saint Elizabeths Hospital
Washington, D.C. 20032

Discharged Patients:
Privacy Act Coordinator
Office of Medical Records Branch
A Building
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided when requesting access: (a) full name; (b) for discharged patients, approximate dates of enrollment at Saint Elizabeths Hospital; (c) if possible, the patient's hospital number; (d) the nature of the material desired. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2) and 5b.6(c)(2)).

Contesting record procedures: Same as notification procedures. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Medical records are a compilation of sociological, medical, clinical and historical data of a patient. They are a complete report of an illness resulting in an accumulation of a large amount of information about a patient. The information recorded was given by the patient, his/her relatives, or other third persons

interested in the patient, from existing records used as reference, from clinical tests (different departments such as lab, X-ray, EEG, etc.), physicians, psychiatrists, nurses, social workers, other therapists who entered their observations and assessments by means of progress notes, reports, etc.

Systems exempted from certain provisions of the act: None.

09-30-0029

System name: Record of Guest Workers - HEW/ADAMHA/OA.

Security classification: None.

System location:

Alcohol, Drug Abuse, and Mental Health Administration
Division of Personnel Management
5600 Fishers Lane
Rockville, Md. 20857

Categories of individuals covered by the system: Individuals using ADAMHA facilities who are not employees.

Categories of records in the system: Personal information including name, address, date and place of birth, education, employment, purpose for which ADAMHA facilities are desired, outside sponsor and ADAMHA sponsor.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to the U.S. Office of Personnel Management for program evaluation purposes and to institutions providing financial support for subject individual.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Records are used to document individual's presence at ADAMHA and as a record that the individual is not performing services for ADAMHA and is therefore not an employee.

Safeguards: Locked file accessible only to authorized individuals.

Retention and disposal: Retained for three years after completion of sojourn, then destroyed.

System manager(s) and address:

Director
Division of Personnel Management, ADAMHA
5600 Fishers Lane
Rockville, Md 20857

Notification procedure: Write to the system manager at the above address to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Subject individual and ADAMHA sponsor.

Systems exempted from certain provisions of the act: None.

09-30-0030

System name: Record of Visiting Fellows - HEW/ADAMHA/OA.

Security classification: None.

System location:

Alcohol, Drug Abuse, and Mental Health Administration

Division of Personnel Management
5600 Fishers Lane, Parklawn Building
Rockville, Md. 20857

Categories of individuals covered by the system: Individuals undergoing training who are not employees.

Categories of records in the system: Personal information including name, address, date and place of birth, education, qualifications for training.

Authority for maintenance of the system: 42 USC 241 and 42 U.S.C. 4821-1

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to the U.S. Office of Personnel Management for program evaluation purposes and to the General Accounting Office for fund disbursement determinations.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. Records are used to refer candidates to selecting officials and to locate Fellows after placement.

Safeguards: Kept in locked file accessible only to authorized individuals.

Retention and disposal: Retained for three years after completion of fellowship, then destroyed.

System manager(s) and address:

Director
Division of Personnel Management, ADAMHA
5600 Fishers Lane
Rockville, Md. 20857

Notification procedure: Write to the system manager at the above address to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Fellowship applicant.

Systems exempted from certain provisions of the act: None.

09-30-0031

System name: Saint Elizabeths Hospital Biometrics System - DHEW/ADAMHA/NIMH

Security classification: None.

System location:

Biometrics Branch
St. Elizabeths Hospital
Administration Building
Washington, D.C. 20032

Categories of individuals covered by the system: Former & Current Patients.

Categories of records in the system: Patient name, hospital number, demographic and individual characteristics, tracking or patient movement and billing information.

Authority for maintenance of the system: 24 USC 161, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is disclosed to D.C. Mental Health Areas for continuity of care, after care and community follow-up.

2. Data is provided to individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Department regulations 45 CFR 5b, item (101).)

3. Data is also provided to volunteers involved in the treatment process of the Hospital.

4. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Saint Elizabeths Hospital Forms, File Folders, punch cards and magnetic tape.

Retrievability: Hospital case number, name, pre-determined codes. Some subsystems kept in chronological order. This record is used for distribution of publications. Patient billing. To generate special and recurring reports for Administrators, Health Professionals, Managers, and Researchers for program management, Planning, Analysis, Evaluation and Research.

Safeguards: Employee training, restricted access, locked at night.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Biometrics Branch
St. Elizabeths Hospital
Wash., D.C. 20032

Notification procedure: A patient or former patient may learn if a record exists upon written request, with notarized signature, directed to:

Privacy Act Coordinator
Biometrics Branch
Saint Elizabeths Hospital
Washington, D.C. 20032

All of the following information must be provided:

- (a) Full name;
- (b) Approximate dates of enrollment at Saint Elizabeths Hospital;
- (c) The nature of the material desired.

Record access procedures: Same as notification. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR 5b.5(a)(2)).)

Contesting record procedures: Same as notification. Reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department regulations (45 CFR Part 5b.7)).

Record source categories: Saint Elizabeths Hospital forms prepared by staff.

Systems exempted from certain provisions of the act: None.

09-30-0032

System name: Records of Research on Alcohol Abusers and Addicts. HEW/ADAMHA/NIAAA.

Security classification: None.

System location:

Laboratory of Basic Alcohol Sciences, Division of Intramural Research
National Institute on Alcohol Abuse and Alcoholism
Rm. 493, Wm. A. White Building

Saint Elizabeths Hospital
Washington, D.C. 20032

Categories of individuals covered by the system: Alcohol abusers and addicts.

Categories of records in the system: Case studies, medical records of individuals involved in studies between 1969 and 1973 in the Intramural Research Laboratory pertaining to alcohol abuse and alcoholism; medical, non-medical, test and laboratory data, observation data, data from interviews, data from previous records, data from epidemiological, biochemical, and behavioral areas, and other data from investigations in medical and related sciences. This includes material contained on video tapes.

Authority for maintenance of the system: Public Health Service Act, Sections 301,303 (42 U.S.C. 241, 242(a), 4551).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. To individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Departmental Regulations, 45 CFR 5b, Item (101).)

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents filed in metal file cabinets and in cardboard boxes.

Retrievability: By case study number and/or by patient's last name.

Safeguards: Only authorized personnel have access to the files and the files themselves may not leave the premises.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with the ADAMHA Records Control Schedule. The disposal standard for these records may be obtained by writing the system manager at the address below.

System manager(s) and address:

Director, Laboratory of Basic Alcohol Sciences, Division of Intramural Research
National Institute on Alcohol Abuse and Alcoholism
Rm. 493, Wm. A. White Building
Saint Elizabeths Hospital
Washington, D.C. 20032

Notification procedure: An individual may learn if a record exists about himself/herself upon written request, with notarized signature, addressed to the System Manager identified above. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)). A parent or guardian who requests notification of or access to a minor's record shall at the time the request is made designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The designate will receive the record in all cases and upon review will determine whether the record should be made available to the parent or guardian.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Directly from the individual and from observation during research studies.

Systems exempted from certain provisions of the act: None.

09-30-0033

System name: Correspondence Files - HEW/ADAMHA/OA

Security classification: None.

System location:

ADAMHA Executive Secretariat
Room 12-C-04, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

Executive Secretariat, National Institute on Drug Abuse
Room 10A-23 Parklawn Bldg.
5600 Fishers Lane
Rockville, Md. 20857

Executive Secretariat, National Institute of Alcohol Abuse and Alcoholism
Room 16-C-02, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

Executive Secretariat, National Institute of Mental Health
Room 17C-10, Parklawn Building
5600 Fishers Lane
Rockville, Md. 20857

Categories of individuals covered by the system: Individuals who request information on ADAMHA programs.

Categories of records in the system: Correspondence.

Authority for maintenance of the system: 21 U.S.C. 1191; 42 U.S.C. Sections 289k-1, 3511, 4551

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Correspondence records maintained in hard copy; control records maintained on computer printout, tape, and disc.

Retrievability: Hard copy records indexed alphabetically by name and date of outgoing correspondence and also by subject. Detailed cross-referencing on computer.

Safeguards: Records are maintained in file cabinets in a secure location. Access to computer system limited to specific individuals through use of passwords. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records will be disposed of according to the ADAMHA Records Control Schedule. For information regarding that disposal, write to the System Manager at the above location.

System manager(s) and address: Same as location.

Notification procedure: Write to the applicable system manager at the above address and give both name and approximate date of record requested.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the appropriate official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested.

(These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Records are derived from incoming and outgoing correspondence.

Systems exempted from certain provisions of the act: None. /*

Billing Code 4110-88-M

09-25-0001

System name: Clinical Research: Patient Records. HEW/NIH/NHLBI.

Security classification: None.

System location:

Building 10, NIH
9000 Rockville Pike
Bethesda, Md 20205

Categories of individuals covered by the system: Patients of the National Heart, Lung, and Blood Institute under study at NIH.

Categories of records in the system: Medical histories, diagnostic studies, laboratory data, treatment.

Authority for maintenance of the system: 42 USC 241e, 287, 287a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

Information may also be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card index, laboratory books, computer memory.

Retrievability: Indexed by name or patient number. HEW use: These records are used by physicians in the evaluation and treatment of patients under study at the NIH.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Administrative Officer, DIR, NHLBI
Building 10, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Privacy Coordinator, NHLBI
Building 31, Room 5A50, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the

representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Referring physicians, hospitals and medical centers, patients and families, results of procedures and tests on NIH patients.

Systems exempted from certain provisions of the act: None.

09-25-0002

System name: Clinical Research: Phenocardiogram. HEW/NIH/NHLBI.

Security classification: None.

System location:

Building 10, Room 6N258, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Heart surgery patients in the NIH Clinical Center with Prosthetic valves implanted.

Categories of records in the system: Medical records.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on magnetic tapes, in log books, and in file folders.

Retrievability: They are retrieved by name. HEW use: For research to develop non-invasive diagnostic techniques for detecting prosthetic valve dysfunction.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Senior Surgeon, Surgery Branch, NHLBI
Building 10, Room 6N256
9000 Rockville Pike
Bethesda, Md. 20205

Notification procedure:

Privacy Act Coordinator, NHLBI
Building 31, Room 5A50
9000 Rockville Pike

Bethesda, Md. 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: NIH patient records.

Systems exempted from certain provisions of the act: None.

09-25-0003

System name: Administration: Authorized Radionuclide Users File. HEW/NIH/DRS.

Security classification: None.

System location:

Building 21, Room 116, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Research Investigators within NIH and outside holding NIH-NRC Broad License for radioactive material.

Categories of records in the system: Radioactive material users.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Training and experience information transferred to place of new employment.

Personnel exposure data transferred to place of new employment.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file cabinet.

Retrievability: They are retrieved by name. HEW use: Establish training and experience in the use of radioactive material and to estimate radiation dose to workers.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Radiation Safety Branch
Building 21, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Individual, previous employers and educational institutions.

Systems exempted from certain provisions of the act: None.

09-25-0004

System name: Administration: NIH Chemical Carcinogen Registry. HEW/NIH/DRS.

Security classification: None.

System location:

Building 12
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Researchers, laboratory workers and NIH employees potentially exposed to chemical carcinogens.

Categories of records in the system: Certain chemical carcinogens, work station locations, kinds of facilities.

Authority for maintenance of the system: 5 USC 7902; 29 USC 654.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on computer tapes.

Retrievability: They are retrieved by name. HEW use: To determine location of work using chemical carcinogens so that a comprehensive surveillance program can be maintained and to provide information for medical examinations.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 20. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Environmental Industrial Hygiene Section, ESB
Building 13, Room 3K-04, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Employee and supervisor.

Systems exempted from certain provisions of the act: None.

09-25-0005

System name: Administration: NIH Library Circulation and User I.D. File. HEW/NIH/DRS.

Security classification: None.

System location:

Building 10, Room 1L25B, NIH

9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: NIH employees.

Categories of records in the system: Library records.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations (45 CFR Part 5b) Item 1.).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on computer tape and file cards.

Retrievability: They are retrieved by name. HEW use: Used by Library staff for library material control.

Safeguards: For manual records, access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Reader Service Section
Building 10, Room 1L21, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Individual, NIH Library ID card data.

Systems exempted from certain provisions of the act: None.

09-25-0007

System name: Administration: NIH Safety Glasses Issuance Program. HEW/NIH/DRS.

Security classification: None.

System location:

Building 13, Room 2E41, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Applicants for safety glasses.

Categories of records in the system: Explanation of eye impact hazard occupation.

Authority for maintenance of the system: 5 USC 7902, 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: Request for safety glasses form used for proper distribution of safety glasses and for proof of delivery.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Retained until employee terminates hazardous occupation.

System manager(s) and address:

Chief, Occupational Safety and Health Activities Section, ESB
Building 13, Room 2E41
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Employee, supervisor, and eye examination data.

Systems exempted from certain provisions of the act: None.

09-25-0008

System name: Administration: Radiation Workers Monitoring. HEW/NIH/DRS.

Security classification: None.

System location:

Building 21, Room 134, NIH
9000 Rockville Pike
Bethesda, MD 20205
and
Building 12, Computer Center
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: NIH workers using radioactive materials or radiation producing equipment.

Categories of records in the system: Radiation exposure incident reports, film badge exposure reports, urine & whole body counting reports.

Authority for maintenance of the system: 5 USC 7902.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transfer radiation exposure history to new employer or to Nuclear Regulatory Commission on their request.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

sent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in card file and on computer tapes.

Retrievability: They are retrieved by name and group number. HEW use: Requirement of Nuclear Regulatory Commission to maintain internal and external radiation exposure data and any radiation incident follow-up reports.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Radiation Safety Officer
Building 21, Room 108, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Previous employer and education institutions, laboratory supervisor, NIH.

Systems exempted from certain provisions of the act: None.

09-25-0009

System name: Clinical Research: Radiotherapy Patient File. HEW/NIH/DRS.

Security classification: None.

System location:

Building 21, Room 139, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: NIH patients who have received radiotherapy doses.

Categories of records in the system: Radiotherapy patient records.

Authority for maintenance of the system: 5 USC 7902; 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Nuclear Regulatory Commission upon its request.

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file cabinet.

Retrievability: They are retrieved by patient name. HEW use: Establish a record of patients receiving radiotherapy doses. Record quantity of material given, type of material, workers involved in patient handling and any radiation exposure received by workers.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Radiation Safety Branch
Building 21, Room 108, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Clinical Center NIH, Radiopharmacy NIH, individual patient.

Systems exempted from certain provisions of the act: None.

09-25-0010

System name: Research Resources: Registry of Microbial Agents, Tissue Cultures and Animals & Users. HEW/NIH/DRS.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Individuals potentially exposed to biohazardous microbial agents.

Categories of records in the system: Microbial agents registry.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on magnetic tape.

Retrievability: They are retrieved by name and SSN for verification where the latter is voluntarily provided. HEW use: To serve as a base for organizations involved in day-to-day operation of the program. To identify scientists and laboratories with expertise in the use of particular biological agents. To identify potential hazards. To determine needs for educational programs. To provide an information base for investigators on specific programs and hazards.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of

Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Biological Control Section
Building 13, Room 3K04, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Supervisor and employee.

Systems exempted from certain provisions of the act: None.

09-25-0011

System name: Clinical Research: Blood Donor Records. HEW/NIH/CC.

Security classification: None.

System location:

Building 10A, Room 1E33, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Donors of blood and blood components to be used in the NIH Clinical Center for patient transfusions.

Categories of records in the system: Past donations, blood types, phenotype.

Authority for maintenance of the system: 42 USC 263.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in a computer file and on donor cards.

Retrievability: They are retrieved by name and SSN for verification when the latter is voluntarily provided. HEW use: Permanent medical history of all donors for the transfusion record of each blood unit. Laboratory results on each unit-record are hepatitis B antigen testing, serologic reactions on all blood samples, donations of blood or blood components.

Safeguards: For manual records, access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 7. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Blood Bank, CC

Building 10A, Room 1E33, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures:

Director, Clinical Center
Building 10, Room 1N212, NIH
9000 Rockville Pike
Bethesda, MD 20205

Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Write to the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Data are collected from the individual. Systems exempted from certain provisions of the act: None.

09-25-0012

System name: Clinical Research: Candidate Normal Volunteer Records. HEW/NIH/CC.

Security classification: None.

System location:

Building 10, Room 7D50, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Normally healthy individuals who volunteer to participate in NIH studies.

Categories of records in the system: Health Questionnaire.

Authority for maintenance of the system: 42 USC 241, 263.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on index cards.

Retrievability: They are retrieved by name. HEW Uses: By Normal Volunteers Office and NIH physicians to determine suitability for admission as normal volunteers.

Safeguards: Access limited to authorized personnel. Records are maintained in a room that is locked when unattended.

Retention and disposal: Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Normal Volunteer Program
Building 10, Room 7D50, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's

discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures:

Director, Clinical Center
Building 10, Room 1N212, NIH
9000 Rockville Pike
Bethesda, MD 20205

Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Write to the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Volunteer, sponsoring contractor.

Systems exempted from certain provisions of the act: None.

09-25-0013

System name: Clinical Research: Preadmission Medical Records. HEW/NIH/CC.

Security classification: None.

System location:

Building 10, Room 1N248, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Potential patients.

Categories of records in the system: Medical history and letters from individuals and referring physicians.

Authority for maintenance of the system: 42 USC 241, 248.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where one of the parties is (a) the Department any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in folders.

Retrievability: They are retrieved by name. HEW use: Referred to appropriate NIH Institutes for determination of appropriateness of individual for participation in research projects. HEW users: Clinical staff employed by HEW.

Safeguards: For manual records, access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Chief, Office of Clinical Reports & Inquiries
Building 10, Room 1N248, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures:

Director, Clinical Center
Building 10, Room 1N212, NIH
9000 Rockville Pike
Bethesda, MD 20205

Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Write to the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Referring physicians, individuals, families or members of Congress.

Systems exempted from certain provisions of the act: None.

09-25-0014

System name: Clinical Research: Student Records. HEW/NIH/CC.

Security classification: None.

System location:

Building 10, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Potential and accepted associates, medical students, and other students in NIH training programs.

Categories of records in the system: Application form, transcripts, references, evaluations.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be used to respond to Congressional inquiries for constituents concerning admission to the program.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name and year. HEW uses: Used by Institutes for selecting associates and medical students for elective program, and by Nursing, Social Work, Medical Records Departments in maintaining records on students in those Departments for training purposes.

Safeguards: Records are maintained in locked cabinets with access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Associate Director, CC
Building 10, Room 1N206, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures:

Director, CC
Building 10, Room 1N212, NIH
9000 Rockville Pike
Bethesda, MD 20205

Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Write to the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

dures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Applicants, universities and teachers.

Systems exempted from certain provisions of the act: None.

09-25-0015

System name: Clinical Research: Collaborative Clinical Epilepsy Research. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205
and Regional Federal Records Center

Categories of individuals covered by the system: Patients participating in NINCDS-sponsored clinical epilepsy research.

Categories of records in the system: Clinical data.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and on magnetic tape and discs.

Retrievability: They are retrieved by ID number. HEW Uses: Research in epilepsy including investigational new drug studies, and clinical neurophysiology to improve treatment of persons with seizures. HEW users are NIH scientists.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 10. Years at Federal Records Center: 15.

System manager(s) and address:

Chief, Epilepsy Branch, NINCDS
Federal Building, Room 114
7550 Wisconsin Avenue
Bethesda, MD 20205

Notification procedure:

Head, Admin. Mgmt. Section
Building 31, Room 8A47
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Clinical treatment records from physicians, nurses, and other sources of care.

Systems exempted from certain provisions of the act: None.

09-25-0016

System name: Clinical Research: Collaborative Perinatal Project. HEW/NIH/NINCDS.

Security classification: None.

System location:

Federal Building, NIH
7550 Wisconsin Ave.
Bethesda, MD 20205
and Regional Federal Records Center

Categories of individuals covered by the system: Women in the perinatal study of NIH during their pregnancies, their children, husbands, fathers of children and other family members.

Categories of records in the system: Medical histories and examinations.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders, on punch cards and magnetic tape, computer printouts, and on microfilm.

Retrievability: They are retrieved by identifying number assigned to the mother. **HEW Use:** Purpose: Statistical and case history, biomedical research with research findings published without identification of individuals. **HEW User:** Biomedical researchers employed by DHEW.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Some records are sent to the Federal Records Center and held for 3 years.

System manager(s) and address:

Chief, Developmental Neurology Branch, NINCDS
Federal Building, NIH
7550 Wisconsin Ave.
Bethesda, MD 20205

Notification procedure:

Head, Administration Management Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in

writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Mother, child, father, biomedical examiners, hospital & clinic records, schools.

Systems exempted from certain provisions of the act: None.

09-25-0017

System name: Clinical Research: Epidemiology Studies Files. HEW/NIH/NINCDS

Security classification: None.

System location: Regional Federal Records Center

Categories of individuals covered by the system: 1. Persons with Multiple Sclerosis in the Comanche County study of NIH.

2. Persons with Polymyositis in the NIH study.

3. Persons with Creutzfeld-Jacob Disease in the NIH study.

4. Guam Construction Workers: Admissions to hospitals with diagnosis of stroke 1972-73.

5. Persons with Multiple Sclerosis who have a twin and who are participants in the NIH study.

6. Person with Parkinson's Disease in NIH-related studies.

7. Registered nurses in the NIH study who were exposed to infectious diseases in the course of patient treatment during their pregnancies.

8. Persons with ulcers who participated in the Veterans' Administration study.

Categories of records in the system: Medical findings and outcome.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. **HEW use:** For epidemiological analyses and research. **HEW users:** epidemiologists and authorized staff.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Section on Epidemiology, NINCDS

Federal Building, Room 7C10A
7550 Wisconsin Ave.
Bethesda, MD 20205

Notification procedure:

Head, Admin. Mgmt. Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6), 47411.). Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Hospital and physicians records.

Systems exempted from certain provisions of the act: None.

09-25-0019

System name: Clinical Research: Genetic Counseling. HEW/NIH/NINCDS.

Security classification: None.

System location:

Federal Building, NIH
7550 Wisconsin Ave.
Bethesda, MD 20205

Categories of individuals covered by the system: Individuals referred to NIH by their physicians for advice about genetic problems in their families.

Categories of records in the system: Family histories, medical histories, laboratory findings, physicians reports.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: To maintain record of advice given; to assess, in time, the efficacy and value of genetic counseling. HEW Users: biomedical researchers employed by DHEW.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule

may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Research Geneticist, PRB
Federal Building, NIH
7550 Wisconsin Ave.
Bethesda, MD 20205

Notification procedure:

Head, Admin. Mgmt. Section
Building 31, Room 8A44, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Referring physicians.

Systems exempted from certain provisions of the act: None.

09-25-0020

System name: Clinical Research: Genetics of Neurological Disorders. HEW/NIH/NINCDS.

Security classification: None.

System location:

Federal Building, NIH
7550 Wisconsin Avenue
Bethesda, MD 20205

Categories of individuals covered by the system: Individuals with hereditary nervous system disorders and their unaffected relatives in the NIH study.

Categories of records in the system: Family histories, medical histories, laboratory findings.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and on index cards.

Retrievability: They are retrieved by name and ID number. HEW use: Research in genetics of neurological disorders: determination of mode of inheritance, epidemiologic characteristics, mutation rate, population dynamics, detection of heterozygote, metabolic defect. HEW users: biomedical researchers employed by DHEW.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Research Geneticist, DNB
Federal Building, NIH
7550 Wisconsin Avenue
Bethesda, MD 20205

Notification procedure:

Head, Admin. Management Section
Building 31, Room 8A44, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patients, relatives, physicians, hospital records.

Systems exempted from certain provisions of the act: None.

09-25-0021

System name: Clinical Research: Guam Patient/Control Registry. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 36, Room 5D03, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Research patients of NIH on Guam.

Categories of records in the system: Medical and demographic data.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to Territorial authorities as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders, on punch cards, magnetic tape, index cards, and print-out sheets.

Retrievability: They are retrieved by name, ID number. HEW use: Medical research on patients.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Intramural Research, NINCDS
Building 36, Room 5A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Head, Admin. Management Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals and their families.

Systems exempted from certain provisions of the act: None.

09-25-0024

System name: Clinical Research: Medical Neurology Branch Medical Histories. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 10, Room 10D-18, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Patients in the Medical Neurology Branch, National Institute of Neurological and Communicative Disorders and Stroke.

Categories of records in the system: Medical history.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it

deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name, ID number and by diagnosis. HEW use: HEW user: Chief, Medical Neurology Branch, or his authorized assistants in the Branch for research purposes.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Medical Neurology Branch
Building 10, Room 10D-18, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Head, Admin. Mgmt. Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Referring physicians.

Systems exempted from certain provisions of the act: None.

09-25-0026

System name: Clinical Research: Nervous System Studies. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 36, Room 5B20, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Research patients in NIH-related studies having nervous system disorders.

Categories of records in the system: Medical and demographic data.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her indi-

vidual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders, on magnetic tape, and on print-out sheets.

Retrievability: They are retrieved by name, disease and attending physician name. HEW use: Medical Research. HEW users: physicians and scientists working at the Central Nervous System Studies Lab, NINCDS/NIH.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Central Nervous System Studies Lab.
Building 31, Room 5B20, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Head, Admin. Management Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From attending physicians.

Systems exempted from certain provisions of the act: None.

09-25-0028

System name: Clinical Research: Patient Medical Histories. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 10 & Building 31, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Past and present patients of the National Institute of Neurological and Communicative Disorders and Stroke, and individuals being referred for admission to the NIH Clinical Center.

Categories of records in the system: Medical histories.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: For patient care and treatment, evaluation of therapeutic procedures.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director of Intramural Research
Building 36, Room 5A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Head, Administrative Mgmt. Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Referring and attending physicians, hospital records.

Systems exempted from certain provisions of the act: None.

09-25-0031

System name: Clinical Research: Serological and Virus Data in Studies Related to the Central Nervous System. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 36, Room 5D04, NIH
9000 Rockville Pike
Bethesda, MD 20205
and Regional Federal Records Center

Categories of individuals covered by the system: Patients with possible perinatal, acute or chronic diseases and normal volunteers in NIH-related studies pertaining to the central nervous system.

Categories of records in the system: Laboratory findings for viruses.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on papers and in file folders.

Retrievability: They are retrieved by name and number. HEW use: Research on role of infections and development of vaccines for CNS diseases; serological and virus data for patients.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 15.

Years at Federal Records Center: 20.

System manager(s) and address:

Chief, Infectious Diseases Branch, IR
Building 36, Room 5D04, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Head, Admin. Management Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Hospital records; volunteers and laboratory data.

Systems exempted from certain provisions of the act: None.

09-25-0033

System name: International Activities: Fellowships Awarded by Foreign Organizations. HEW/NIH/FIC.

Security classification: None.

System location:

Building 31, Room 2B62, NIH
9000 Rockville Pike
Bethesda, MD 20205
Regional Federal Records Center

Categories of individuals covered by the system: U.S. citizens qualified in health-related sciences submitting applications through NIH for fellowships for study abroad.

Categories of records in the system: Applications and associated records and reports.

Authority for maintenance of the system: 42 USC 2421.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

After review by the operating agency review panel, the applications and all supporting documents are forwarded to the awarding agency.

In addition, such application may be made available to authorized employees and agents of the US including the General Accounting Office, for purposes of investigations, inspections and audits, and, in appropriate cases to the Department of Justice for proper action under civil and criminal laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name and fellowship number. HEW use: Fogarty International Center program staff collect and review the applications, after which operating agency review committees make selections. Where applicable, information is transmitted to the Office of International Health.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 1. Number of years held at Federal Records Center before disposal: 5.

System manager(s) and address:

Chief, Scholars & Fellowship Br.
Building 31, Room 2B62, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Requests for notification of or access to records should be addressed to the system manager, as listed above. Verification of identity is required. (These notification and access procedures are in accordance with Department Regulations (45 CFR Part 5b.5)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Applicants and persons supplying references.

Systems exempted from certain provisions of the act: None.

09-25-0034

System name: International Activities: Scholars Program. HEW/NIH/FIC.

Security classification: None.

System location:

Building 31, Room 2B62, NIH
9000 Rockville Pike
Bethesda, MD 20205
Regional Federal Records Center

Categories of individuals covered by the system: Distinguished U.S. science leaders and scholars invited to accept NIH scholarships.

Categories of records in the system: Employment and education histories; references.

Authority for maintenance of the system: 42 USC 2421.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information is made available to authorized employees and agents of the US, including the General Accounting Office, for purposes of investigations, inspections and audits, and in appropriate cases, to the Department of Justice for proper action under civil and criminal laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and on magnetic tapes.

Retrievability: They are retrieved by name. HEW use: This program was established to facilitate the exchange of ideas among distinguished science leaders and scholars who spend from 3 to 12 months in residence at NIH. Biographical information and references are assembled by Fogarty International Center (FIC) program staff for use by the operating agency review committee, and invitations are extended by the Director, FIC.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 1. Number of years held at Federal Records Center before disposal: 5.

System manager(s) and address:

Chief, Scholars & Fellowships Branch
Building 31, Room 2B62, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Requests for notification of or access to records should be addressed to the system manager, as listed above. Verification of identity is required. (These notification and access procedures are in accordance with Department Regulations (45 CFR Part 5b.5)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information obtained from invitees, reference sources, and persons supplying recommendations.

Systems exempted from certain provisions of the act: None.

09-25-0035

System name: International Activities: US Foreign Health Exchange Programs. HEW/NIH/FIC.

Security classification: None.

System location:

Building 31, Room 2C08, NIH
9000 Rockville Pike
Bethesda, MD 20205
Regional Federal Records Center

Categories of individuals covered by the system: U.S. citizens applying for participation in international health exchange programs through NIH.

Categories of records in the system: Applications and associated records and reports

Authority for maintenance of the system: 42 USC 2421.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. To qualified experts not within the Definition of Department employees as prescribed in Department Regulations (45 CFR, Part 5b.2) for opinions as a part of the application review process.

Information is furnished pertinent staffs of the relevant foreign ministry for acceptance purposes.

Applications are made available to authorized employees and agents of the United States, including the General Accounting Office, for the purpose of inspections and audits, and, in appropriate cases, to the Department of Justice for proper action under civil and criminal laws.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: US citizens with backgrounds relating to the health sciences submit applications for study in countries with which the US has health exchange agreements. Fogarty International Center (FIC) staff prepares the applications for review by an operating agency review committee which makes the awards. FIC staff applies to foreign ministries for their approval. Information transmitted to Office of International Health. Reports by returnees disseminated as appropriate.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 1. FRC: 5.

System manager(s) and address:

Coordinator, US-Foreign Health Exchange Program Building
31, Room 2C08, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Requests for notification of or access to records should be addressed to the system manager, as listed above. Verification of identity is required. (These notification and access procedures are in accordance with Department Regulations (45 CFR Part 5b.5)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information obtained from applicants and persons supplying references.

Systems exempted from certain provisions of the act: None.

09-25-0036

System name: Grants: IMPAC (Grant/Contract Information). HEW/NIH/DRG.

Security classification: None.

System location:

Westwood Building, Room 1A03B
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Applicant and Principal Investigators; Program Directors; Institutional and Individual Fellows; Research Career Awardees.

Categories of records in the system: Applications, awards, associated records and trainee appointments.

Authority for maintenance of the system: 42 USC 241c; 58 Stat. 691c & d Repealed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange Inc. (Appendix B, DHEW Regulations, 45 CFR, Pt. 5b.2.)

(2) To the cognizant Audit Agency for auditing;

(4) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;

(5) To qualified experts not within the definition of Department employees as prescribed in Department Regulations (45 CFR, Part 5b.2) for opinions as a part of the application review process;

(6) To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter;

(7) To individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (DHEW Regulations, 45 CFR, 5b, Appendix B, item (9)).

(8) To organizations in the private sector with whom PHS has contracted for the purpose of collating, analyzing, aggregating or otherwise refining records in a system. The contractor shall be required to maintain Privacy Act safeguards with respect to such records (Appendix B, DHEW Regulations, 45 CFR, 5b.(9)).

(9) To the grantee institution in connection with performance or administration under the terms and conditions of the award.

(10) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on discs and magnetic tapes.

Retrievability: They are retrieved by name, application, grant, and contract ID number. HEW use: The records are used by management and operating staff to prepare listing, tabulations, magnetic tapes and other machine processable media, microfiche and publications for administrative purposes such as fiscal operations, budgeting, program direction and planning; public information; research and analysis. Information is also used to maintain communication with former fellows who have incurred obligation through the National Research Service Award Program.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Statistics and Analysis Branch, DRG
Westwood Building, Room 1A03B, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure:

Privacy Act Coordinator, DRG
Westwood Building, Room 448, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual, individual's educational institution, and references.

Systems exempted from certain provisions of the act: None.

09-25-0037

System name: Clinical Research: Gerontology Research Center Longitudinal Aging Study. HEW/NIH/NIA.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Voluntary participants in the Gerontology Research Center Longitudinal Aging Study, NIH.

Categories of records in the system: Medical histories, psychological and physical test results.

Authority for maintenance of the system: 42 USC 241, 289k-2, k-4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and on computer discs.

Retrievability: They are retrieved by ID number. HEW use: Staff collects & analyzes data as part of a longitudinal study of the human aging process.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Clinical Physiology Branch
Gerontology Research Center
Baltimore City Hospitals
Baltimore, MD 21224

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Individuals, research staff, test results.

Systems exempted from certain provisions of the act: None.

09-25-0038

System name: Clinical Research: Patient Data, HEW/NIH/NIAMDD.

Security classification: None.

System location:

Building 10, Room 9N222, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Current & past patients of the National Institute of Arthritis, Metabolism, and Digestive Diseases.

Categories of records in the system: Patient history, demographic data, miscellaneous correspondence with patients.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are available to approved or collaborating researchers, including DHEW contractors and grantees. Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and on computer tape.

Retrievability: They are retrieved by name and any data element on computer tape. HEW use: Patient data are used by scientific staff to conduct laboratory experiments, clinical treatment and care of patients, and administrative functions pertaining thereto. The records are used for statistical purposes in preparation of experimental and patient data, for analysis and eventual publication of results in non-identifiable form.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Clinical Investigations
Building 10, Room 9N222, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Administrative Officer
Building 31, Room 9A46, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Institute Clinical Records.

Systems exempted from certain provisions of the act: None.

09-25-0039

System name: Clinical Research: Diabetes Mellitus Research Study of Southwestern American Indians. HEW/NIH/NIAMDD.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Southwestern American Indians and Caucasian spouses of some who were participants in the NIH Diabetes Mellitus Research Study.

Categories of records in the system: Name, address, demographic data, patient history, and control numbers.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on computer tape.

Retrievability: They are retrieved by name or any data element. HEW use: Used by the staff of the National Institute of Arthritis, Metabolism, and Digestive Diseases to gain information on high prevalence of diabetes, arthritis, gall bladder and related diseases among Southwestern American Indians.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Phoenix Clinical Research Section
Phoenix Area Indian Hospital, Room 541
Phoenix, AZ 85016

Notification procedure:

Administrative Officer
Building 31, Room 9A46, NIH

9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Institute clinical records.

Systems exempted from certain provisions of the act: None.

09-25-0040

System name: Clinical Research: Southwestern American Indian Patient Data. HEW/NIH/NIAMDD.

Security classification: None.

System location:

Phoenix Area Indian Hospital
4214 N. 16th Street, Room 541
Phoenix, AZ 85016

Categories of individuals covered by the system: Current patients of the National Institute of Arthritis, Metabolism, and Digestive Diseases being treated at the Phoenix Area Indian Hospital.

Categories of records in the system: Medical history, treatment schedules, diagnostic records.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name and patient number. HEW use: Used by clinicians and support staff of Phoenix Clinical Research Section for treatment of NIAMDD patients at Phoenix Area Indian Hospital. Records are forwarded to Indian Health Service which maintains records after patient discharge.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records are stored and destroyed along with other medical records of the Indian Health Service at the Phoenix Area Indian Hospital.

System manager(s) and address:

Chief, Phoenix Clinical Research Section
Phoenix Area Indian Hospital

4212 N. 16th Street
Phoenix, AZ 85016

Notification procedure:

Administrative Officer, NIAMDD
Building 31, Room 9A46
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Clinicians of the Phoenix Clinical Research Section.

Systems exempted from certain provisions of the act: None.

09-25-0041

System name: Research Resources: Hormone Distribution. HEW/NIH/NIAMDD.

Security classification: None.

System location:

Westwood Bldg., Room 620, NIH
5333 Westbard Ave.
Bethesda, MD 20016

Categories of individuals covered by the system: Scientists requesting hormones from the National Institute of Arthritis, Metabolism, and Digestive Diseases.

Categories of records in the system: Justification for request for hormones, including requestor's competence.

Authority for maintenance of the system: 42 USC 241, 263, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to NIAMDD contractors for distribution of various hormones to requestors.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: Used by Hormone Distribution Officer to make a determination on request of hormones.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Hormone Distribution Officer
Westwood Bldg., Rm 620
5333 Westbard Ave.
Bethesda, MD 20016

Notification procedure:

Administrative Officer

Building 31, Room 9A46, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Data is obtained from the individual. Systems exempted from certain provisions of the act: None.

09-25-0042

System name: Clinical Research: National Institute of Dental Research Patient Records. HEW/NIH/NIDR.

Security classification: None.

System location:

Building 10, Room 1B20, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: NIH inpatients and other participants in current and past research projects of the National Institute of Dental Research.

Categories of records in the system: Medical and dental histories, dental pathologies and therapies.

Authority for maintenance of the system: 42 USC 241, 288a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name and hospital ID number. HEW use: Used by staff to record medical and dental diagnoses, therapies and research data and to evaluate treatment and research procedures.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Clinical Dental Services Section

Building 10, Room 1B20, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

NIDR Privacy Act Coordinator
Room 551, Westwood Bldg.
5333 Westbard Avenue
Bethesda, MD 20016

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual, parents or guardians.

Systems exempted from certain provisions of the act: None.

09-25-0043

System name: Clinical Research: Pharyngeal Development. HEW/NIH/NIDR.

Security classification: None.

System location:

Building 31, Room 3B10
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Patients referred to the National Institute of Dental Research who have abnormalities of the mouth and pharynx.

Categories of records in the system: Medical records.

Authority for maintenance of the system: 42 USC 241, 288a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name and diagnosis. HEW use; Used by NIDR staff to accumulate information about diseases for clinical analysis and publication in non-identifiable form. Information is shared with Clinical Center medical records and is used in preparing the Annual Report of the institute.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Disposal methods include burning or shredding paper materials and erasing computer tapes. Years at NIH - 10.

System manager(s) and address:

Chief, Oral and Pharyngeal Development Section
Building 31, Room 3B10, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

NIDR Privacy Act Coordinator
Room 551, Westwood Bldg.
5333 Westbard Avenue
Bethesda, MD 20016

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual patient or family members, referring clinician or health agency.

Systems exempted from certain provisions of the act: None.

09-25-0044

System name: Clinical Research: Sensory Testing Research Program. HEW/NIH/NIDR.

Security classification: None.

System location:

Building 31, Room 3B08, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Infants, children and adults participating in the Sensory Testing Program of the National Institute for Dental Research.

Categories of records in the system: Test results, extracts from medical records.

Authority for maintenance of the system: 42 USC 241, 288a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and data books.

Retrievability: They are retrieved by name, date of observation, and age of subject. HEW use: Used by NIDR staff to accumulate information about normal and aberrant development and diseases for analysis and publication in non-identifiable form in the Annual Report of the institute.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Research Psychologist, NIDR
Building 31, Room 3B08, NIH
9000 Rockville Pike

Bethesda, MD 20205

Notification procedure:

NIDR Privacy Act Coordinator
Room 551, Westwood Bldg.
5333 Westbard Avenue
Bethesda, MD 20016

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Cooperating Clinician or Health Agency, family member.

Systems exempted from certain provisions of the act: None.

09-25-0046

System name: Clinical Research: Catalog of Clinical Specimens. HEW/NIH/NIAID.

Security classification: None.

System location:

Building 7, Room 301 and Room 202, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Patients, volunteers, laboratory personnel in the National Institute of Allergy and Infectious Diseases.

Categories of records in the system: Clinical specimens, attendant data and laboratory results.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in data books.

Retrievability: They are retrieved by name, patient or study number. HEW uses: Used for diagnostic and epidemiologic studies. HEW users: scientific staff of the institute.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Respiratory Viruses Section
Building 7, Room 301, NIH
9000 Rockville Pike

Bethesda, MD 20205

Chief, Hepatitis Virus Section
Building 7, Room 202, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Hospital records, field study records and records from collaborating scientists.

Systems exempted from certain provisions of the act: None.

09-25-0047

System name: Clinical Research: Cooperative Smallpox Vaccine Study. HEW/NIH/NIAID.

Security classification: None.

System location:

Building 10, Room 11N118, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Recipients of smallpox vaccines in Cooperative Study of the National Institute of Allergy and Infectious Diseases.

Categories of records in the system: Medical records concerning reactions to smallpox vaccine.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to researchers of the 4 collaborating institutions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

To individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Department Regulations, 45 CFR Part 5b, item 101).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on magnetic tape and on punch cards.

Retrievability: They are retrieved by I.D. number. HEW uses: Information from 4 institutions is compiled and statistical analyses are made of these data for publication in scientific literature in non-identifiable form. HEW users: Professional staff of the Branch and cooperating scientists in the Intramural Program.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of

Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Development and Applications Branch
Westwood Bldg., Rm. 750
5333 Westbard Ave.
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Research investigators.

Systems exempted from certain provisions of the act: None.

09-25-0048

System name: Clinical Research: Serology-Epidemiology Parasite Research. NEW/NIH/NIAID.

Security classification: None.

System location:

Rocky Mountain Laboratory, NIH
Hamilton, MT 59840

Categories of individuals covered by the system: Blood or parasite donors participating in serology-epidemiology parasite research of the National Institute of Allergy and Infectious Diseases.

Categories of records in the system: Results of blood tests and possible case histories.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

To individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research (Appendix B, Department Regulations 45 CFR Part 5b, item 101).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW uses: Used for epidemiological studies. HEW users: scientific staff of the laboratory.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Administrative Officer
Rocky Mountain Laboratory, NIH
Hamilton, MT 59840

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requestors should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Personal physician of donor & State Health Departments.

Systems exempted from certain provisions of the act: None.

09-25-0049

System name: Clinical Research: Atlanta Federal Prison Malaria Research Projects. HEW/NIH/NIAID.

Security classification: None.

System location:

Building 8, Room 326, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Prisoners in Atlanta Federal Prison who have volunteered to participate in malaria research studies of the National Institute of Allergy and Infectious Diseases.

Categories of records in the system: Medical history records.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Certain infectious diseases are reported to State Government as required by law.

Clinical research data are made available to individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, HEW Regulations, 45 CFR, Part 5b, item 101).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW uses: Used for malaria research studies. HEW users: scientific staff of the laboratory.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Malaria Section, NIAID
Building 8, Room 326, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals, Hospital records, referring physicians, collaborating scientists.

Systems exempted from certain provisions of the act: None.

09-25-0051

System name: Grants: Trainees Record System. HEW/NIH/NIAID
Security classification: None.

System location:

Westwood Building, Room 735, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Trainees under Training Grants of the National Institute of Allergy and Infectious Diseases.

Categories of records in the system: Name of trainee, grant no., amount of support, Sci. Discipline Code, level of degree, date of training.

Authority for maintenance of the system: 42 USC 2891-1; 58 Stat. 691d Repealed; 64 Stat. 44.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in card files and on computer tapes.

Retrievability: They are retrieved by name. HEW uses: Used for reports on trainees. HEW users: branch staff.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance

with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Data Control Section
Westwood Building, Room 733, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure: Write to System Manager.

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Report of appointment of trainee.

Systems exempted from certain provisions of the act: None.

09-25-0051

System name: Grants: NIH Fellowship Payroll. HEW/NIH/DFM.

Security classification: None.

System location:

Building 31, Room B1B07, NIH
9000 Rockville Pike
Bethesda, MD 20205
and Regional Federal Records Center

Categories of individuals covered by the system: Recipients of NIH fellowships.

Categories of records in the system: Recipient's name, address and social security number.

Authority for maintenance of the system: 58 Stat. 691c Repealed; 42 USC 2891-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to report income subject to tax and taxes withheld to Internal Revenue Service.

The Internal Revenue Service requires the social security number to verify individual identity.

Where federal agencies having the power to subpoena other federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available. (Appendix B, HEW Regulations, 45 CFR Part 5b, item 6).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders in file cabinets.

Retrievability: They are retrieved by name. HEW use: Used by NIH staff to process fellowships stipend check to fellow each month for preparing record of taxes withheld and stipends paid to individuals.

Safeguards: The records are maintained in file cabinets with access limited to authorized personnel. Offices are locked during other than normal duty hours.

Retention and disposal: Years at NIH: 1. Years at Federal Records Center: 9.

System manager(s) and address:

Chief, Federal Assistance Accounting Bch, DFM
Building 31, Room B1B07, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Notice of Fellowship Award and individual fellow.

Systems exempted from certain provisions of the act: None.

09-25-0053

System name: Clinical Research: Vision Studies. HEW/NIH/NEI.

Security classification: None.

System location:

Building 10, Room 10N325, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Patients of Intramural Research Clinical Studies, National Eye Institute.

Categories of records in the system: Medical history as relevant to vision research.

Authority for maintenance of the system: 42 USC 241, 289i, 289k.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Certain infectious diseases may be reported to State Government as required by law.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, Item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file cabinets.

Retrievability: They are retrieved by name and cross referenced by anatomical entity. HEW use: Used by NEI staff to conduct and evaluate visual research projects.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Clinical Director
Building 10, Room 10N313, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Executive Officer
Building 31, Room 6A05, NIH

9000 Rockville Pike

Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Medical examinations conducted by and under the direction of the research investigators.

Systems exempted from certain provisions of the act: None.

09-25-0054

System name: Administration: Property Accounting. HEW/NIH/DES.

Security classification: None.

System location:

Building 12A, Room 4018, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Employees of the National Institutes of Health who are issued tools, uniforms, and safety shoes.

Categories of records in the system: Property management.

Authority for maintenance of the system: 5 USC 5901; 5 USC 7903; 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations (45 CFR Part 5b) Item 1.).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW uses: Used for tool, uniform and safety shoe issuance and control.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Administrative Officer, DES

Building 12A, Room 4018, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Data is obtained from the individual. Systems exempted from certain provisions of the act: None.

09-25-0055

System name: Clinical Research: Baltimore Cancer Research Center Patients. HEW/NIH/NCI.

Security classification: None.

System location:

Baltimore Cancer Research Center
22 South Greenstreet
Baltimore, MD 21202

Categories of individuals covered by the system: Cancer patients treated at the Baltimore Md. Cancer Research Center.

Categories of records in the system: Medical records.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by patient number. HEW uses: Research by staff to determine survival rates based on modes of treatment.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Associate Director for Baltimore Can. Res. Cent.
Baltimore Cancer Res. Center
22 South Greenstreet

Baltimore, MD 21202

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patients' personal physicians, NIH staff treating the patients or performing tests, and patients themselves. Systems exempted from certain provisions of the act: None.

09-25-0057

System name: Clinical Research: Burkitt's Lymphoma Registry. HEW/NIH/NCI.

Security classification: None.

System location:

Building 37, Room 1B28
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Patients with Burkitt's Lymphoma in the registry of the National Cancer Institute.

Categories of records in the system: Clinical abstracts, pathology reports, and other laboratory correspondence with attending physicians.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW uses: Epidemiologic research by research staff.

Safeguards: Access limited to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Clinical Studies Section
Medical Officer, Laboratory of Viral Carcinogenesis
Landow Building, Room 8C18
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Hospitals, Pathology Reports, Medical Histories.

Systems exempted from certain provisions of the act: None.

09-25-0060

System name: Clinical Research: DCT Clinical Investigations. HEW/NIH/NCI.

Security classification: None.

System location: Building 10, Room 3B18, NIH

9000 Rockville Pike
Bethesda, MD 20205
Regional Federal Record Center

Categories of individuals covered by the system: All patients who have been hospitalized in the National Cancer Institute.

Categories of records in the system: Medical records.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on magnetic tapes and on index cards.

Retrievability: They are retrieved by patient name. HEW uses: Patient care and treatment and epidemiological research.

Safeguards: Access limited to authorized personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 12

System manager(s) and address:

Head, Biostatistics
Building 10, Room 3B16
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Hospital medical records, referring physician, referring hospitals, patient contact, Central Tumor Registries.

Systems exempted from certain provisions of the act: None.

09-25-0064

System name: Clinical Research: Japan Hawaii Cancer Studies. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Hawaiians of Japanese descent, who were/are patients and controls diagnosed with cancer of certain sites or with gastric ulcers.

Categories of records in the system: Medical, diet, residence & occupational history; clinical lab test results.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on magnetic tape and microfiche and in file folders and on slides.

Retrievability: They are retrieved by name or ID number. HEW uses: Research into the causes of cancer, including precursor conditions and factors affecting the etiology and epidemiology of the disease.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Biometry Branch
Landow Building, Room C503, NIH
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Information obtained from interview with cancer patients or their relatives, hospitalized controls, community and hospital records.

Systems exempted from certain provisions of the act: None.

09-25-0067

System name: Clinical Research: National Cancer Incidence Surveys. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Persons diagnosed as having cancer during 1969-71 in geographical areas of the U.S.

Categories of records in the system: Medical history, insurance and hospital cost data, and death records.

Authority for maintenance of the system: 42 USC 241, 281, 182.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on microfiche and on magnetic tapes.

Retrievability: They are retrieved by name and study number. **HEW uses:** Comparison of trends in cancer incidence between the second and third national cancer surveys, i.e. between 1969-71 and 1947.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Demography Section
Landow Building, Room B506, NIH
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Hospital medical records, death certificates.

Systems exempted from certain provisions of the act: None.

09-25-0068

System name: Clinical Research: National Cancer Institute/American Cancer Society National Breast Cancer Screening of Antihypertensives. HEW/NIH/NCI.

Security classification: None.

System location:

Landow Building, Room B506, NIH
7910 Woodmont Avenue
Bethesda, MD 20205
and Regional Federal Records Center

Categories of individuals covered by the system: Women screened for breast cancer by the National Cancer Institute/American Cancer Society-sponsored screening centers.

Categories of records in the system: Medical history questionnaires from all individuals; treatment questionnaires from physicians of individuals on antihypertensives.

Authority for maintenance of the system: 42 USC 241, 281, 182.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders, on computer printouts and tapes.

Retrievability: They are retrieved by patient name and number. HEW uses: Epidemiological research to study factors possibly related to breast cancer. Involves collaboration of National Heart, Lung, and Blood Institute and the Food and Drug Administration.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 5. Years at Federal Records Center: 10.

System manager(s) and address:

Head, Demography Section
Landow Building, Room B506, NIH
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Data is obtained from the individual, and if applicable, from the individual's physician with her permission.

Systems exempted from certain provisions of the act: None.

09-25-0069

System name: NIH Clinical Center Admissions of the NCI: HEW/NIH/NCI.

Security classification: None.

System location: Appendix I.

Landow Building, Rm. 3C18, NIH, DCCP
7910 Woodmont Avenue
Bethesda, MD 20205

Building 10, Rm 3C18, NIH, DCT
9000 Rockville Pike
Bethesda, MD 20205

Building 31, Room 3A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Current and former cancer patients admitted to the NIH Clinical Center.

Categories of records in the system: Medical histories, reports and correspondence.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW uses: National Cancer Institute physicians and supporting staff are involved in the diagnosis of disease and the treatment of patients, requiring the maintenance of working files to chart progress, responses to treatment, etc.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address: Appendix II

Head, Clinical Genetics Sec. DCCP
Landow Bldg., Rm. A521, NIH
7910 Woodmont Avenue
Bethesda, Maryland 20205

Head, Biostatistics, DCT
Building 10, Room 3B16
9000 Rockville Pike
Bethesda, MD 20205

Administrative Officer, DCBD
Building 31, Room 3A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to system manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patients' personal physicians, NIH staff treating the patients or performing tests, and patients themselves.

Systems exempted from certain provisions of the act: None.

09-25-0074

System name: Clinical Research: Veterans Administration Bladder & Prostate Cancer Clinical Trials. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Veterans Administration patients with bladder or prostate cancer.

Categories of records in the system: Medical & treatment history.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in files and on computer tapes and discs.

Retrievability: They are retrieved by name. HEW uses: Research by staff comparing treatments of bladder and prostate cancer, developing statistical methodology, and tracing the natural history of disease.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Computer Systems Manager
Landow Building, Room C504, NIH
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Hospitals.

Systems exempted from certain provisions of the act: None.

09-25-0075

System name: Administration: Principal Investigators Protection from Research Risks. HEW/NIH/OD.

Security classification: None.

System location:

Westwood Building, Room 303
5333 Westbard Avenue
Bethesda, MD 20205

Categories of individuals covered by the system: Persons submitting research proposals to the National Institutes of Health involving hazards to subjects or ethical problems.

Categories of records in the system: Research protocol, identification of Principal Investigator, institution.

Authority for maintenance of the system: 42 USC 241(c) (g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (Appendix B, Departmental Regulations (45 CFR Part 5b) Item 1.).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored on card file.

Retrievability: They are retrieved by name of Principal Investigator. HEW use: Used to retrieve project files for monitoring of research proposals that may involve undue hazards to subjects or ethical considerations.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, OPRR
Westwood Building, Room 303, NIH
5333 Westbard Avenue
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Proposals submitted by individuals, but identified by employees or consultants of DHEW as possibly involving undue hazards.

Systems exempted from certain provisions of the act: None.

09-25-0077

System name: Clinical Research: Viral Oncology Human Specimen Program. HEW/NIH/NCI.

Security classification: None.

System location:

Landow Bldg., Rm. C-309
7910 Woodmont Avenue
Bethesda, MD 20205

Categories of individuals covered by the system: Cancer and other patients, and normal donors seen at clinically-oriented organizations that receive procurement contracts from the National Cancer Institute to supply for research purposes by-product material such as biopsy and tumor specimens that would normally be discarded.

Categories of records in the system: Medical history and diagnostic information about the donor, information on the type of specimen, location of repository (if specimen is stored before use), and distribution record.

Authority for maintenance of the system: 42 USC 241, 281, 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, magnetic tape, discs.

Retrievability: Retrieved by name of donor and cross-referenced by identifying number, procurement source, and various epidemiological characteristics. HEW Use: Used for cancer research to allow interpretation of experimental results, to project future research needs, to monitor and evaluate contractor procurement performance, and to monitor and evaluate the NCI distribution system to laboratory researchers.

Safeguards: Access limited to authorized personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Office of Program Resources & Logistics
Landow Building, Room 1005
National Institutes of Health
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the

information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Specimen Report Form filled out by the organization providing specimens.

Systems exempted from certain provisions of the act: None.

09-25-0078

System name: Administration: Consultant File. HEW/NIH/NHLBI.

Security classification: None.

System location:

Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: List of consultants available for use in evaluation of NHLBI special grants and contracts.

Categories of records in the system: Names, resumes, lists of publications.

Authority for maintenance of the system: 42 U.S.C. 241(d), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer disk and file folders.

Retrievability: HEW uses: Selection and referral of experts and consultants for National Heart, Lung, and Blood Institute program reviews and evaluations.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Held at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Systems Analyst, DEA, NHLBI
Westwood Building, Room 5A-15
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure:

Privacy Act Coordinator, NHLBI
Building 31, Room 5A-50, NIH
9000 Rockville Pike
Bethesda, MD 20205

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Subject individual.

Systems exempted from certain provisions of the act: None.

09-25-0084

System name: Administration: Curricula Vitae. HEW/NIH/NIAMDD

Security classification: None.

System location:

Building 31, Room 9A35, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Consultants, scientists, advisory boards, and commission members.

Categories of records in the system: Employment, education, personal and achievement histories.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW use: NIAMDD staff for releases, award citations, personnel actions, presentation of papers, source of information to inquiries, and promotion reviews.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 5. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Administrative Officer, NIAMDD
Building 31, Room 9A24, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0087

System name: Administration: Employees and Consultants. HEW/NIH/NIAD.

Security classification: None.

System location:

Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Current and former key professional employees of the Institute and consultants.

Categories of records in the system: Press releases, curriculum vitae, nominations for awards and photographs.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of

its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW uses: For background records to provides drafts of public announcements. HEW users: staff of the office.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals and newspaper clippings.

Systems exempted from certain provisions of the act: None.

09-25-0088

System name: Clinical Research: H-2 Soluble Antigen and H-2 Antiserum. HEW/NIH/NIAD.

Security classification: None.

System location:

Westwood Building, Room 7A03
5333 Westbard Avenue
Bethesda, Maryland 20016

Categories of individuals covered by the system: Scientific investigators concerned with histocompatibility typing who have applied for research materials.

Categories of records in the system: Applications for Research Materials.

Authority for maintenance of the system: 42 USC 241, 263, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data regarding scientific investigators may be published in reagents catalogue and may be used to respond to public inquiries.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW uses: Used to keep records of active investigators using the reagents and as a means of controlling scarce reagents. HEW users: branch staff.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Collaborative Project Section, IAIDP
Westwood Building, Room 7A03
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure: Write to System Manager.

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0089

System name: Clinical Research: HL-A Antiserum and Tray Users. HEW/NIH/NIAID.

Security classification: None.

System location:

Westwood Building, Room 7A03
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Scientific and clinical investigators concerned with histocompatibility typing

Categories of records in the system: Applications for Research Materials.

Authority for maintenance of the system: 42 USC 241, 263, 289a, 289c

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data regarding investigators may be published in reagents catalogue and may be used to respond to public inquiries.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders and on computer tapes.

Retrievability: Retrieved by name. HEW use: Used by NIAID staff as a record of active investigators using the research materials and as a means of controlling the scarce reagents.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule

may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Head, Collaborative Project Section, IAIDP
Westwood Building, Room 7A03
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure: Write to System Manager.

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Chief, ORR and PR, NIAID
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0091

System name: Administration: General Files. HEW/NIH/NEI.

Security classification: None.

System location:

Building 31, Room 6A03, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Donors of gifts, employees, correspondents of the National Eye Institute.

Categories of records in the system: Budget, Administrative Services, correspondence.

Authority for maintenance of the system: 42 USC 289L

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name and subject area. HEW use: In the day-to-day administrative operations of the institute. (Contain records of gifts, travel, various permits, procurement, property, employee suggestions and awards, manpower studies, letters of request for service or information, mailing lists for distribution of institute information to interested outside community.)

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 1. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Executive Officer, NEI
Building 31, Room 6A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Records Management Officer
Building 31, Room 6A31, NIH
9000 Rockville Pike

Bethesda, MD 20205

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0093

System name: Administration: Journal of the National Cancer Institute. HEW/NIH/NCI.

Security classification: None.

System location:

Blair Building, Room 2A01
8300 Colesville Road
Silver Spring, MD 20910

Categories of individuals covered by the system: Authors and manuscript reviewers and members of the JNCI editorial board.

Categories of records in the system: Accepted, rejected and pending manuscripts and reviewing comments.

Authority for maintenance of the system: 42 USC 241, 281

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to qualified experts not within the definition of Department employees for opinions as a part of the review of manuscripts.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name and manuscript number. HEW Use: Manuscript review by NCI staff for possible publication or oral presentations.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 1. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Managing Editor
Blair Building Room 2A01
8300 Colesville Road
Silver Spring, MD 20910

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(3)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Authors and reviewers.

Systems exempted from certain provisions of the act: None.

09-25-0095

System name: Contracts: Carcinogenesis Contracts & Intramural Projects. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Principal investigators, project officers, and contract specialists.

Categories of records in the system: Projects titles and descriptors and cost data.

Authority for maintenance of the system: 42 U.S.C. 241(g), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contracts with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored on magnetic tape.

Retrievability: Retrieved by name. HEW use: Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: For computerized records, safeguards established in accordance with Department standards, and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Coordinator, Information Activities, Technical Information
Resources Branch,
Bioassay Testing Program, DCCP
Landow Building, Room A-306
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Contracts, proposals and annual reports.

Systems exempted from certain provisions of the act: None.

09-25-0096

System name: Contracts: Contract Management System. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Principal investigators, project officers, and contract specialists.

Categories of records in the system: Project titles and descriptions and cost data.

Authority for maintenance of the system: 42 U.S.C. 241(g), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored on magnetic tapes and on-line discs.

Retrievability: Retrieved by name. HEW uses: Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 10. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Supervisory Systems Analyst
Blair Building, Room 1A-07
8300 Colesville Road
Silver Spring, MD 20910

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Negotiated Contract and NIH 1688 Form - Project Objective and Progress Report.

Systems exempted from certain provisions of the act: None.

09-25-0098

System name: Contracts: Division of Cancer Control and Rehabilitation. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Principal investigators, project officers, and contract specialists.

Categories of records in the system: Project titles and descriptions and cost data.

Authority for maintenance of the system: 42 U.S.C. 241(g), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored on magnetic tapes.

Retrievability: Retrieved by name. HEW uses: Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 2. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Administrative Officer, DCCR
Blair Building, Room 730
8300 Colesville Road
Silver Spring, MD 20910

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Contracts, proposals and annual reports.

Systems exempted from certain provisions of the act: None.

09-25-0098

System name: Contracts: Viral Oncology Contracts. HEW/NIH/NCI.

Security classification: None.

System location:

Building 12, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Principal investigators, project officers, and contract specialists.

Categories of records in the system: Project titles and descriptions and cost data.

Authority for maintenance of the system: 42 U.S.C. 241(g), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to a contractor when the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Department Regulations, (45 CFR Part 5b), item 9).

Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored on computer file and tapes.

Retrievability: Retrieved by name. HEW uses: Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 5. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Head, Editorial Unit
Landow Bldg. Rm. A-913
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Contracts, proposals, and annual reports.

Systems exempted from certain provisions of the act: None.

09-25-0099

System name: Clinical Research: Patient Medical Records. HEW/NIH/CC.

Security classification: None.

System location:

Building 10, Room 1N116
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Registered Clinical Center patients. Some individuals not registered as patients but seen in Clinical Center for diagnostic tests.

Categories of records in the system: Medical treatment records.

Authority for maintenance of the system: 42 USC 241, 248.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Certain infectious diseases are reported to State Government as required by law.

Information may be used to respond to Congressional inquiries for constituents concerning admission to NIH Clinical Center.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2). Social work department may give pertinent information to community agencies.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and computer tapes.

Retrievability: They are retrieved by unit number. HEW use: To provide medical care and treatment. To conduct bio-medical research. HEW users are physicians, nurses, and other health-care personnel; DHEW scientists conducting research; students, mainly medical and nursing, assigned to NIH for training. Diagnostic Departments (X-ray), Pathology, etc.) have some records of non-registered patients, referred for testing.

Safeguards: For manual records, access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Medical Record Department
Building 10, Room 1N116
9000 Rockville Pike
Bethesda, Md. 20205

Notification procedure:

Director, Clinical Center
Building 10, Room 1N212
9000 Rockville Pike
Bethesda, Md. 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Referring physicians, other medical facilities (with patient's consent), patients, relatives of patients.

Systems exempted from certain provisions of the act: None.

09-25-0100

System name: Clinical Research: Neuropharmacology Studies. HEW/NIH/NINCDS.

Security classification: None.

System location:

Building 36, Room 5A06
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Patients in NIH-related studies concerning aspects of neuropharmacology.

Categories of records in the system: Medical data.

Authority for maintenance of the system: 42 USC 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Clinical research data are made available to approved or collaborating researchers, including DHEW contractors and grantees.

Information may be used to respond to Congressional inquiries for constituents concerning admission to the NIH Clinical Center.

Certain infectious diseases are reported to State Government as required by law.

Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Department Regulations 45 CFR Part 5b, item 2).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in laboratory notebooks, file folders and on index cards.

Retrievability: They are retrieved by name, diagnosis, data of laboratory determination. HEW use: Medical research on patients. HEW users: limited to physicians and scientists working within the laboratory unless data formatted so that individual patient identifies are not discernible.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Intramural Research
Building 36, Room 5A05, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure:

Head, Admin. Management Section
Building 31, Room 8A47, NIH
9000 Rockville Pike
Bethesda, MD 20205

An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) Federal Register, October 8, 1975, page 47411.)

Record source categories: Other medical, scientific and educational institutions; individual physicians in private practice.

Systems exempted from certain provisions of the act: None.

09-25-0102

System name: Administration: Associates Program. HEW/NIH/DRG.

Security classification: None.

System location:

Westwood Building, Room 2A03
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Grants Associates Training Program Applicants.

Categories of records in the system: Application, correspondence, curriculum vitae.

Authority for maintenance of the system: 5 USC Part III; 42 USC 241c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Sent to U.S. Office of Personnel Management for salary approval.

Sent to State Governments or Educational Institutions for assignment of accepted applicants to training position.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: Used by staff to review applications, conduct correspondence and manage the program.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Executive Secretary, Grants Associates Program
Westwood Building, Room 2A03, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure: Write to System Manager.

Record access procedures:

Privacy Act Coordinator
Westwood Building, Room 448, NIH
5333 Westbard Avenue
Bethesda, MD 20016

Contesting record procedures: Write to the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Individual, educational institution attended by individual, and references.

Systems exempted from certain provisions of the act: None.

09-25-0105

System name: Administration: Employee Health Records. HEW/NIH/OD.

Security classification: None.

System location:

Building 10, NIH
9000 Rockville Pike
Bethesda, MD 20205
and
Rocky Mountain Laboratory

Hamilton, Montana 59840
Regional Federal Records Center

Buildings 41, and 12
9000 Rockville Pike
Bethesda, MD 20205
and
Flow Laboratories, Inc.
1710 Chapman Avenue
Rockville, MD 20850

Categories of individuals covered by the system: Employees, fellows, visiting scientists, relatives of inpatients, visitors, contractors working on site.

Categories of records in the system: Medical records.

Authority for maintenance of the system: 5 U.S.C. 7901

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For adjudication of benefits under workman's compensation and for disability retirement and other separation actions:

To District office of OPEC, Department of Labor with copies to the U.S. Office of Personnel Management for disability retirement and other separation actions.

Upon non-HEW agency request, examination to determine fitness for duty with copies to requesting agency and to the U.S. Office of Personnel Management.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW Use: Used by physicians and health service personnel: for medical treatment; upon researcher request, and with employee's written permission, release of record for research purposes to medical personnel; upon request by DHEW personnel offices: determination of fitness for duty, with copies to DHEW personnel offices and the Civil Service Commission; monitoring personnel to assume that safety standards are maintained.

Safeguards: Records are maintained in locked cabinets with access limited to authorized personnel (system manager and his staff).

Retention and disposal: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Office Manager
Occupational Medical Service
Building 10, Room B5A06, NIH
9000 Rockville Pike
Bethesda, MD 20205
and
Chief, Office of Biohazard Safety
Viral Oncology Program, NCI
Building 41, Rm A103
Bethesda, MD 20205

Administrative Officer
Rocky Mountain Laboratory
Hamilton, Montana 59840

Notification procedure: Contact System Manager at treatment location. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures

are in accordance with Department Regulations (45 CFR, Section 5b.6), 47411.)

Medical Director
Occupational Medical Service
Building 10, Room B5A06, NIH
9000 Rockville Pike
Bethesda, MD 20205

Administrative Officer
Rocky Mountain Laboratory
Hamilton, Montana 59840 Same as notification procedures.

Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Data resulting from clinical and preventive services provided at treatment location. Data received from individual.

Systems exempted from certain provisions of the act: None.

09-25-0106

System name: Administration: Executive Secretariat, NIH. HEW/NIH/OD.

Security classification: None.

System location:

Building 12A, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Individuals who request information on NIH programs.

Categories of records in the system: Correspondence.

Authority for maintenance of the system: 5 USC 301 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored by computer index and on file folders.

Retrievability: They are retrieved by name, document number, date, and subject. HEW use: to locate and follow-up correspondence to assure prompt reply. Forwarded to other DHEW components when a response from them is warranted.

Safeguards: For manual records, access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Executive Secretariat
Building 1, Room 18, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Records are derived from incoming and outgoing correspondence.

Systems exempted from certain provisions of the act: None.

09-25-0108

System name: Personnel: Guest Workers/Visiting Fellows/Student Scientist/Scientists Emeriti HEW/NIH/DPM.

Security classification: None.

System location: Each NIH Personnel and Administrative Office.

Categories of individuals covered by the system: Individuals using NIH facilities who are not NIH employees.

Categories of records in the system: Personal information including name, address, date and place of birth, education, employment, purpose for which NIH facilities are desired, outside sponsor, and NIH sponsor.

Authority for maintenance of the system: 42 USC 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

- To U.S. Office of Personnel Management for program evaluation purposes;
- To General Accounting Office for fund disbursement determinations;
- To institutions providing financial support to the U.S. State Department for matters related to its mission.
- To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: They are retrieved by name. HEW use: To document the individuals' presence at NIH and to record that the individual is not performing a service for the government.

Safeguards: The records are maintained in locked file cabinets with access limited to authorized personnel.

Retention and disposal: Years at NIH: 3 years after visit. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Assistant Director for Operations
Bldg. 11, Rm 119
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Same As Notification Procedures.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Individual, management, institution, State Department.

Systems exempted from certain provisions of the act: None.

09-25-0112

System name: Grants: Research, Research Training, Fellowship and Construction Applications and Awards. HEW/NIH/OD.

Security classification: None.

System location: See Appendix I.

Categories of individuals covered by the system: Grant applicants and Principal Investigators; Program Directors; Institutional and Individual Fellows; Research Career Awardees.

Categories of records in the system: Grant Applications and review history, awards, financial records and progress reports and related correspondence.

Authority for maintenance of the system: 42 USC 241(c), (d), 276, 281, 287, 288, 289(a), (d), (e), (i), 289(k-2) 58 Stat. 691 (repealed).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made: (1) Of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item (2)).

(2) To the Cognizant Audit Agency for auditing;

(3) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(4) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;

(5) To qualified experts not within the definition of Department employees as prescribed in Department Regulations (45 CFR, Part 5b.2) for opinions as a part of the application review process;

(6) To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter; (Appendix B, Departmental Regulations, 45 CFR Part 5b, (4))

(7) To individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item (101)).

(8) To a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in a system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records; (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item (9)).

(9) To the grantee institution in connection with performance or administration under the terms and conditions of the award.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, on computer tapes and discs, cards and in notebooks.

Retrievability: Retrieved by name and grant number. HEW use: Information provided is used by NIH staff for review award and administration of grant programs. Information is also used to maintain communication with former fellows who have incurred an obligation through the National Research Service Award Program. Staff may also use curriculum vitae to identify candidates who may serve as ad hoc consultants or committee and council members in the grant peer review process. As a part of the cost analysis of a proposed grant, a budget review is conducted of the percentage of time and effort listed under personnel category, equipment and supply categories, and other items listed under "other" category.

Safeguards: Access limited to authorized personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Years at NIH: 1 year after close out except for Construction Grants which are retained for 3 years after close-out. Years at FRC: 5 years except for National Research Service Awards, 9 years and Construction Awards, 12 years.

System manager(s) and address: See Appendix II.

Notification procedure: Write to official at the address specified in Appendix II.

Record access procedures: Write to the official at the address specified in Appendix IV. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR Part 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified in Appendix II and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information submitted by applicant, supplemented by outside reviewers and internal staff.

Systems exempted from certain provisions of the act: None.

Appendix I System Location

National Cancer Institute
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 837, 10A15, 8A18, 805, 855, 809, 848

National Heart and Lung Institute
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 5A15

National Library of Medicine
Federal Building
7550 Rockville Pike
Bethesda, MD 20209
Room 916A

National Institute of Allergy and Infectious Diseases
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 722

National Institute of Arthritis, Metabolism, and Digestive Diseases
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 610

National Institute of Child Health and Human Development
Landow Building
7910 Woodmont Avenue
Bethesda, MD 20205
Room A621

National Institute on Aging
Building 31, 9000 Rockville Pike
Bethesda, Maryland 20205
Rm 5C39

National Institute of Dental Research
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 518

National Institute of Environmental Health Sciences
Building 12
Research Triangle Park, North Carolina 27709
Room 1213

National Institute of General Medical Sciences
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 938

National Institute of Neurological and Communicative Disorders and Stroke
Westwood Building
5333 Westbard Avenue
Bethesda, MD 20016
Room 748

National Eye Institute
Building 31
9000 Rockville Pike
Bethesda, MD 20205
Room 6A47

Division of Research Resources
Building 31
9000 Rockville Pike
Bethesda, MD 20205
Room 5B34

Regional Federal Records Center

Appendix II System Manager and Address

National Cancer Institute
Grants Privacy Act Coordinator
Room 848, Westwood Building
5333 Westbard Avenue
Bethesda, Maryland 20016

National Heart and Lung Institute
Administrative Officer, DEA
Room 5A15, Westwood Building

National Library of Medicine
Associate Director for Extramural Programs
Room 816A, Federal Building

Chief, Grants Management Branch
Westwood Building, Room 710
Administrative Officer, NIAID
Room 707, Westwood Building

National Institute of Arthritis, Metabolism, and Digestive Diseases
Grants Management Officer
Room 639, Westwood Building

National Institute of Child Health and Human Development
Chief, Office of Grants & Contracts
Room A621, Landow Building

National Institute on Aging
Grants Management Officer
Room 5C39, Building 31

National Institute of Dental Research
Grants Management Officer, NIDR
Room 518, Westwood Building

National Institute of Environmental Health Sciences
Grants Management Officer
Room 1213, Building 12

National Institute of General Medical Sciences
Grants Management Officer, NIGMS
Room 938, Westwood Building

National Institute of Neurological and Communicative Disorders and Stroke
Grants Officer, Extramural Programs
Room 738, Westwood Building

National Eye Institute
Grants Management Officer
Room 6A52, Building 31

Division of Research Resources
Director, Office of Grants and Contracts Management
Room 5B34, Building 31

Appendix III Notification Procedures

National Cancer Institute
Chief, Grants Administration Branch
Room 8A18, Westwood Building

National Heart and Lung Institute
Privacy Act Coordinator, NHLI
Room 5A50, Building 31

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
See Appendix II.

National Institute of Arthritis, Metabolism, and Digestive Diseases
Administrative Officer
Room 9A46, Building 19

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging
See Appendix II.

National Institute of Dental Research
See Appendix II.

National Institute of Environmental Health Sciences
See Appendix II.

National Institute of General Medical Sciences
See Appendix II.

National Institute of Neurological and Communicative Disorders and Stroke
See Appendix II.

National Eye Institute
See Appendix II.

Division of Research Resources
See Appendix II.

Appendix IV Record Access Procedures

National Cancer Institute
Chief, Grants Administration Branch
Room 8A18, Westwood Building

National Heart and Lung Institute
See Appendix III.

National Library of Medicine
See Appendix II.

National Institute of Allergy and Infectious Diseases
Chief, Of. of Research Reporting & Public Response
Room 7A32, Building 31

National Institute of Arthritis, Metabolism, and Digestive Diseases
See Appendix III.

National Institute of Child Health and Human Development
See Appendix II.

National Institute on Aging
See Appendix II.

National Institute of Dental Research

Grants Management Officer,
NIDR
Room 518
Westwood Building

National Institute of Environmental Health Sciences

See Appendix II.

National Institute of General Medical Sciences
Privacy Act Coordinator
Room 9A05, Westwood Building

National Institute of Neurological and Communicative Disorders and Stroke
Head, Administration Mgmt. Section
Room 8A47, Building 31

National Eye Institute
Administrative Officer
Room 6A31, Building 31

Division of Research Resources
See Appendix II.

09-25-0113

System name: Administration: Professional Service Agreements
(Medical/legal Services). HEW/NIH/DAS.

Security classification: None.

System location:

Building 31, Room 1C02, NIH
9000 Rockville Pike
Bethesda, MD 20205
Regional Federal Records Center

Categories of individuals covered by the system: Medical Consultants under contract with the NIH Clinical Center and patent attorneys who provide professional services in connection with legal patent searches for the NIH.

Categories of records in the system: Contract Administration Data.

Authority for maintenance of the system: 42 USC 241 (d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW Use: Official business record maintenance of contractual agreements of those individuals who are providing consultative medical services to the NIH Clinical Center. HEW user: used by procurement & financial personnel.

Safeguards: Records are maintained in locked cabinets with access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 2. Years at FRC: 4.

System manager(s) and address:

Director, DAS
Building 31, Room 1C02, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0114

System name: Contracts: Personal Services Contractors. HEW/NIH/NIGMS.

Security classification: None.

System location:

Westwood Building, Room 9A09
5333 Westbard Avenue
Bethesda, Md. 20016

Categories of individuals covered by the system: Individuals under contract with NIGMS.

Categories of records in the system: Work qualifications, description of services to be performed.

Authority for maintenance of the system: 42 USC 241(d), 289e.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name of contractor. HEW use: Record of agreed upon services, reference by institute staff in monitoring contractor's performance.

Safeguards: Records are kept in locked file cabinets and access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 3. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Administrative Officer
Westwood Building Room 9A09
5333 Westbard Avenue
Bethesda, Md. 20016

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual.

Systems exempted from certain provisions of the act: None.

09-25-0115

System name: Administration: Curricula Vitae. HEW/NIH/NIAID

Security classification: None.

System location:

Building 31, Room 7A10, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Consultants and Clinical Investigators under NIAID Investigational New Drug Applications.

Categories of records in the system: Curriculum vitae.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in books.

Retrievability: Retrieved by name. HEW uses: For appointment of consultants and filing in Investigational New Drug Application. HEW users: branch staff.

Safeguards: Access-limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Clinical Studies Branch
Building 31, Rm 7A49
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0116

System name: Contracts: Professional Services Contracts. HEW/NIH/NIAID.

Security classification: None.

System location:

Building 31, Room 7A10, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Medical consultants under contract with NIAID.

Categories of records in the system: Administrative files, biographical data.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in card files.

Retrievability: Retrieved by name. HEW uses: to prepare travel orders, professional services contracts, and honorarium forms. HEW users: staff of branch.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Chief, Development and Applications Branch
Westwood Bldg., Rm. 750
5333 Westbard Ave.
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-25-0117

System name: International Activities: US-Japan Program. HEW/NIH/NIAID.

Security classification: None.

System location:

Westwood Building, Room 739
5333 Westbard Avenue
Bethesda, MD 20016

Categories of individuals covered by the system: Panel Members of the U.S.-Japan Cooperative Medical Science Program.

Categories of records in the system: Letters of appointment, curriculum vitae & correspondence.

Authority for maintenance of the system: 42 USC 241(d) 289a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW uses: NIAID staff in administration of program and for preparing correspondence with panel members.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 2. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Assistant to the Director, Microbiology and Infectious Diseases Program

Westwood Building, Room 749
5333 Westbard Avenue
Bethesda, MD 20016

Notification procedure: Write to System Manager.

Record access procedures: Write to official named below. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Chief, Of. of Research Reporting & Public Response
Building 31, Room 7A32, NIH
9000 Rockville Pike
Bethesda, MD 20205

Contesting record procedures: Contact the official at the address specified under access procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Panel members.

Systems exempted from certain provisions of the act: None.

09-25-0118

System name: Contracts: Professional Services Contracts. HEW/NIH/NCI.

Security classification: None.

System location: Appendix I.

Blair Building, Room 7A07, DCCR, NIH
8300 Colesville Road
Silver Spring, MD 20910

Building 31, Rm. 6A09, DCT
9000 Rockville Pike
Bethesda, Md. 20205

Building 31, Rm. 3A22, OD
9000 Rockville Pike
Bethesda, Md. 20205

Categories of individuals covered by the system: Individuals under contract with the NCI.

Categories of records in the system: Professional Services Contracts.

Authority for maintenance of the system: 42 USC 241(d), 281.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders.

Retrievability: Retrieved by name. HEW uses: Used by staff for general administrative purposes in compliance with program requirements.

Safeguards: Access limited to authorized personnel (system manager and his staff).

Retention and disposal: Years at NIH: 5. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address: Appendix II.

Chief, Office of Committee & Review Activities, DCCR
Blair Building, Room 7A07, NIH
8300 Colesville Road
Silver Spring, MD 20910

Administrative Officer, DCT
Building 31, Room 3A50, NIH

9000 Rockville Pike
Bethesda, MD 20205

Administrative Officer, OD
Building 31, Room 11A29, NIH
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: None specified.

Systems exempted from certain provisions of the act: None.

09-25-0121

System name: International Activities: Senior International Fellowships Program. DHEW/NIH/FIC.

Security classification: None.

System location:

Bldg. 31, Room 2B62, NIH
9000 Rockville Pike
Bethesda, MD, 20205
Regional Federal Records Center

Categories of individuals covered by the system: Applicants for Senior International Fellowships.

Categories of records in the system: Applications and associated records and reports.

Authority for maintenance of the system: 42 U.S.C. 242 e.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Each fellow's home institution receives a notice of award and funding for the fellowship.

Applications are made available to authorized employees and agents of the US; including the General Accounting Office for purposes of investigations, inspections and audits, and in appropriate cases, to the Department of Justice for proper action under civil and criminal laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders; magnetic tapes.

Retrievability: Retrieved by name and fellowship number. HEW use: These fellowships are available to outstanding faculty members in mid career from U.S. biomedical Research And Educational institutions for study abroad. Applications are submitted to Division of Research Grants (DRG), which also performs primary review. FIC performs secondary review and awards fellowships. Necessary information is made available to Division of Financial Management (DFM) for payment of awards.

Safeguards: Access limited to authorized personnel (system manager and his staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Number of years held at NIH: 1. Number of years held at Federal Records Center before disposal: 5.

System manager(s) and address:

Chief, Scholars & Fellowships Branch

Bldg. 31, Room 2B62
9000 Rockville Pike
Bethesda, Md. 20205

Notification procedure: Requests for notification of or access to records should be addressed to the system manager, listed above. Verification of identity is required. (These notification and access procedures are in accordance with Department Regulations (45 CFR 5b.5)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information obtained from applicants and persons supplying recommendations through DRG.

Systems exempted from certain provisions of the act: None.

09-25-0123

System name: Clinical Research: Clinical Trials Dealing with Fertility Regulating Methods. DHEW/NIH/NICHD.

Security classification: None.

System location:

Landow Bldg., Room C625
7910 Woodmont Ave.
Bethesda, Md. 20205

and at hospitals and medical centers under contract.

Categories of individuals covered by the system: Volunteers and patients in clinical trials dealing with male and female fertility regulating methods.

Categories of records in the system: Individuals, medical records of subjects participating in clinical trials.

Authority for maintenance of the system: 42 USC 241(g), 289d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. Certain infectious diseases are reported to state governments as required by law.

3. To the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, computer tapes or disks.

Retrievability: Name or identifier codes. HEW uses: Data analysis; program management; DHEW user (Contraceptive Development Branch, Center for Population Research) will receive data extracted by principal investigators from volunteer records describing the effects of various fertility regulating approaches in male and female.

Safeguards: The records are maintained in locked cabinets with access limited to authorized personnel (system manager, principal investigator and his staff assigned to the project, project officer, contracting officer). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: One year to indefinitely, depending on the requirements of the specific study. Records are shredded, burned or erased.

System manager(s) and address:

Chief, Contraceptive Development Branch, Center for
Population Research, NICHD, NIH
Landow Bldg., Room 7A04
7910 Woodmont Ave.
Bethesda, Maryland 20205

Notification procedure: To determine if a file exists, write to the System Manager and provide the following information:

1. Approximate dates and place of treatment.
2. Name of the study, if known.
3. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5).

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested, in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Information provided by subjects and clinical investigators.

Systems exempted from certain provisions of the act: None.

09-25-0124

System name: Administration: Pharmacology Research Associates - HEW/NIH/NIGMS

Security classification: None.

System location:

National Institutes of Health
5333 Westbard Avenue, Westwood Bldg., Room 919
Bethesda, Maryland 20016

Categories of individuals covered by the system: Applicants for positions as Pharmacology Research Associates with the National Institute of General Medical Sciences.

Categories of records in the system: Individual application forms, academic transcripts and references.

Authority for maintenance of the system: 42 USC 209.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By name of applicant. HEW uses: (1) for consideration of the applicant as a candidate for the Pharmacology Research Associate Training Program (PRAT). (2) for consideration of the applicant by other NIH Associate Programs at the applicant's request.

Safeguards: The records are maintained in locked cabinets with access limited to authorized personnel (system manager and his/her staff assigned to the program).

Retention and disposal: 1. Records of applicants who are admitted to the program are kept not more than 5 years. 2. Records of applicants who are not admitted to the program are kept for one

year. Records are shredded. 3. All records are shredded after proper time has elapsed.

System manager(s) and address:

Executive Secretary, PRAT Program
Pharmacology-Toxicology Program
NIGMS - NIH
Westwood Bldg., Room 919
Bethesda, Maryland 20015

Notification procedure: To determine if a file exists, write to the System Manager and provide the following information: Date of Application; Applicant's Name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These notification and access procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5)).

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations, (45 CFR, Part 5b.7).)

Record source categories: Information provided by applicants, university registrars, and references.

Systems exempted from certain provisions of the act: None.

09-25-0126

System name: Clinical Research: National Heart, Lung, and Blood Institute Epidemiological and Biometric Studies. DHEW/NIH/NHLBI.

Security classification: None.

System location: Records included in this system are located in hospitals, universities, research centers, research foundations, and coordinating centers under contract with the National Heart, Lung, and Blood Institute, and in NHLBI facilities in Bethesda, Maryland.

Categories of individuals covered by the system: Participants in these studies include 1) individuals who have been or who are presently being treated by the National Heart, Lung, and Blood Institute, for diseases or conditions of the heart, lung, blood vessels and blood; 2) individuals whose physical, genetic, social, economic, environmental, behavioral or nutritional conditions or habits are being studied in relation to the incidence of heart, lung, blood vessel and blood diseases among human beings; and 3) normal volunteers who have agreed to provide control data germane to these studies.

Categories of records in the system: This system consists of a variety of clinical, medical, and statistical information resulting from or contained in research findings, medical histories, vital statistics, personal interviews, questionnaires, or direct observation. The system also includes records of current addresses of study participants, photographs, fingerprints, and correspondence from or about participants in these studies.

Authority for maintenance of the system: Sec. 412, 413 Public Health Service Act (42 U.S.C. 287a, 287b)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Research data are made available to authorized, collaborating researchers, which includes DHEW contractors and grantees.
2. See Appendix B Departmental Regulations (45 CFR Part 5b), items as indicated:

- (2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.
- (3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosures may be made to the Department of Justice for the purpose of obtaining its advice.
- (8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records.
- (9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(100) Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

(101) Disclosure may be made to individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

(102) Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessments, medical audits or utilization review.

3. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored in file folders, magnetic tapes or discs, punched cards, bound note books.

Retrievability: Information is retrieved by name and/or participant identification number. DHEW Uses: Summaries of data resulting from these studies are used by the National Heart, Lung, and Blood Institute to monitor and evaluate the incidence of the diseases or the conditions under investigation and the relationship of various factors to the occurrence of these diseases, and for program planning and evaluation purposes.

Safeguards: Access to or disclosure of information is limited to authorized researchers, NHLBI employees whose duties require the use of such information, and subject individuals themselves whose identity has been properly verified. Data stored in computers is accessed through the use of key words known only to principal investigators or authorized personnel. All other information is stored in locked files.

Retention and disposal: Records are retained by NIH indefinitely, as the documentation from scientific and medical research are normally permanent records.

System manager(s) and address:

Chief, Epidemiology Branch
National Heart, Lung, and Blood Institute
Landow Building, C825
7910 Woodmont Avenue
Bethesda, MD 20205

Notification procedure:

NHLBI Privacy Coordinator
Building 31, NIH
9000 Rockville Pike
Bethesda, MD 20205

Requestors must provide the following information in writing:

1. Full name
2. Name and location of research study
3. Approximate dates of enrollment. These notification procedures are in accordance with the DHEW regulations as published in the (45 CFR, Part 5b.5).

Record access procedures: Same as notification. Requestors should also reasonably specify the record contents being sought. These access procedures are in accordance with the DHEW regulations. (45 CFR, Part 5b.5). An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (This notification and access procedure is in accordance with Departmental Regulations (45 CFR Part 5b.6)).

Contesting record procedures: System Manager as indicated above. The contestor must reasonably specify in writing the record contents at issue. (This procedure is in accordance with Departmental Regulations (45 CFR Part 5b.7)).

Record source categories: Information contained in these records is obtained directly from individual participants and from medical and clinical research observations.

Systems exempted from certain provisions of the act: None.

09-25-0127

System name: Clinical Research: Clinical trials dealing with phototherapy for neonatal hyperbilirubinemia—HEW/NIH/NICHD.

Security classification: None.

System location:

Bldg. 31, Room 2A-50
9000 Rockville Pike
Bethesda, Maryland 20205

And six contract sites performing the trials (See Appendix).

Categories of individuals covered by the system: Patients in clinical trials dealing with phototherapy in the newborn.

Categories of records in the system: Individual medical and laboratory records of subjects participating in the study.

Authority for maintenance of the system: 42 U.S.C. 241(g), 289d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from that office made at the request of that individual, parents, or guardian.
2. Certain infectious diseases are reported to state governments as required by law.

3. Information may be given to a primary care physician when treatment or follow-up of a condition noted during the one-year examination given each patient in the study is indicated.

4. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activity of the Public Health Service in connection with such individual. (Appendix B Departmental Regulations (45 CFR Part 5b), Item 100.).

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, computer tapes or discs.

Retrievability: Name or identifier code. HEW Uses: Data analysis; program management; DHEW user (Office of the Scientific Director, NICHD) will receive unidentified, aggregate data extracted by the principal investigators from patient records describing the effects of phototherapy on the treatment of hyperbilirubinemia in newborns and the subsequent development of the patient.

Safeguards: The records are maintained in locked cabinets with access limited to authorized personnel (system manager, principal investigator and his staff assigned to the project, project officer, contracting officer). For computerized records, safeguards are established in accordance with Departmental standards and National Bureau of Standards guidelines, e.g. security codes are used limiting access to authorized personnel.

Retention and disposal: One year to indefinitely, depending on the length of the patient follow-up required to complete the study. Records are shredded, burned or erased.

System manager(s) and address:

Chief, Section on Human Biochemical and Developmental Genetics, NPMB
Intramural Research Program, NICHD, NIH
Bldg. 10, 13N258
9000 Rockville Pike
Bethesda, Maryland 20205

Notification procedure: To determine if a file exists, write to the System Manager and provide the following information:

1. Approximate dates and place of treatment.
2. Name of the study, if known.

3. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion (these notification and access procedures are in accordance with Department Regulations (45 CFR, Part 5b.6)).

Record access procedures: Same as notification procedures. Requestors should also reasonably specify the record contents being sought. This procedure is in accordance with Departmental Regulations (45 CFR Part 5b.5).

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested. (This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).)

Record source categories: Information provided by subjects and clinical investigators.

Systems exempted from certain provisions of the act: None.

APPENDIX I

N01-HD-4-2818

University of Cincinnati
College of Medicine
Cincinnati, Ohio 45219

Principal Investigator:
James M. Sutherland, M.D.

N01-HD-4-2819

State University of New York
Downstate Medical Center
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Principal Investigator:
Dr. Audrey K. Brown

N01-HD-4-2820

Virginia Commonwealth University
Medical College of Virginia
1200 East Broad Street
Richmond, VA 23298

Principal Investigator:
Harold M. Maurer, M.D.

N01-HD-4-2821

Long Island Jewish Hillside Medical Center
New Hyde Park
New York 11041

Principal Investigator:
Philip J. Lipsitz, M.D.

N01-HD-4-2822

Albert Einstein College of Medicine of Yeshiva University
1300 Morris Park Avenue
Bronx, NY 10461

Principal Investigator:
Lawrence M. Gartner, M.D.

N01-HD-4-2823

Professional Staff Association of the LAC/USC Medical Center
Women's Hospital, Room 919L
1240 Mission Road
Los Angeles, CA 90033

Principal Investigators:
Joan E. Hodgman, M.D.
Paul U. K. Wu, M.D.

09-25-0128

System name: Clinical Research: Neural Prosthesis & Biomedical Engineering Studies. HEW/NIH/NINCDS.

Security classification: None.

System location:

NIH
Federal Building, Room 120
7550 Wisconsin Ave.
Bethesda, Md 20205

and at hospitals and medical centers under contract. A list of locations is available upon request from system manager.

Categories of individuals covered by the system: Patients and normal volunteers, males and females, participating in clinical studies to determine the feasibility of neural prostheses, and in clinical studies related to the development of instrumentation for diagnosis and treatment of neurological and sensory disorders conducted under contract for the National Institute of Neurological and Communicative Disorders and Stroke.

Categories of records in the system: Clinical research data as related to studies which seek to determine the feasibility of neural prostheses and to develop instrumentation for diagnosis and treatment of neurological and sensory disorders.

Authority for maintenance of the system: 42 U.S.C. 421, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records are made available to approved or collaborating researchers, including DHEW contractors and grantees.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged, to have arisen because of activity of the Public Health Service in connection with such individual. (Appendix B, Department Regulations (45 CFR Part 5b) Item 100.)

4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: They are retrieved by name. HEW use: research on the feasibility and development of neural prostheses, and research related to the development of instrumentation for the diagnosis and treatment of neurological and sensory disorders. Clinical research data is used by the National Institute of Neurological and Communicative Disorders and Stroke and unidentified aggregate data may be used by other NIH scientists.

Safeguards: The records are maintained in cabinets with access limited to authorized personnel (system manager and members of his staff, project officer, and contracting officer).

Retention and disposal: Years at NIH: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with the NIH records control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, Fundamental Neurosciences Program
Federal Building, Room 120
7550 Wisconsin Ave
Bethesda, MD 20205

Notification procedure: Write To:

Head, Administrative Management Section
Building 31, Room 8A47
9000 Rockville Pike
Bethesda, MD 20205

and ask if a file exists with your name in the Neural Prosthesis or Biomedical Engineering Studies. Also, designate a responsible representative who will be willing to review the record and inform you of its contents at his/her discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Part 5b.6))

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. This procedure is in accordance with Departmental Regulations (45 CFR Part 5b.5).

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested. (This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).)

Record source categories: Patients, patients' families, hospital records and clinical investigators.

Systems exempted from certain provisions of the act: None.

09-25-0129

System name: Clinical Research: Clinical Research Studies dealing with Hearing, Speech and Language Disorders. HEW/NIH/NINCDS.

Security classification: None.

System location:

Federal Building, NIH
7550 Wisconsin Avenue
Bethesda, MD 20205

And at hospitals, medical centers, universities and educational settings under contract. A list of locations is available upon request from the System Manager.

Categories of individuals covered by the system: Patients and normal volunteers participating in clinical research studies dealing with hearing, speech and language disorders.

Categories of records in the system: Medical findings, clinical research data, medical and educational histories and research data on the hearing, speech, language and cognition of subjects being tested.

Authority for maintenance of the system: 42 U.S.C. 241, 289a, 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records are made available to approved or collaborating researchers, including DHEW contractors and grantees.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activity of the Public Health Service in connection with such individual (Appendix B Departmental Regulations (45 CFR Part 5b) Item 100.)

4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders.

Retrievability: Name or identifier code. HEW uses: Data analysis; program management; HEW user (Communicative Disorders Program, National Institute of Neurological and Communicative Disorders and Stroke), receives data extracted by principal investigators from patient and normal volunteer records on the effects of various factors on hearing, speech, language, and cognition.

Safeguards: The records are maintained in cabinets in offices where access is limited to authorized personnel (principal investigator and staff assigned to the project, project officer, contracting officer).

Retention and disposal: Years at NIH: one year to indefinitely, depending on the requirements of the specific study. Following completion of a specific study all individual identification are removed, or the records destroyed.

System manager(s) and address:

Director, Communicative Disorders Program
Federal Building, NIH
7550 Wisconsin Avenue
Bethesda, Md. 20205

Notification procedure: Write To:

Head, Administrative Management Section
Building 31, Room 8A47
9000 Rockville Pike
Bethesda, Maryland 20205

To ask if a file exists with your name in studies of Communication Disorders Program, please supply the following information:

1. Approximate date and place of examination and/or treatment.
2. Name of the study, if known.
3. A responsible representative who will be willing to review the record and inform you of its contents at his/her discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Part 5b.6))

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (This procedure is in accordance with Departmental Regulations (45 CFR Part 5b.5).)

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR Part 5b.7).

Record source categories: Information provided by patients, patients' families, hospital records, school records, and clinical investigators.

Systems exempted from certain provisions of the act: None.

09-25-0130

System name: Clinical Research: Environmental Epidemiologic Studies in the Division of Cancer Cause and Prevention, HEW/NIH/NCI.

Security classification: None.

System location:

Landow Building, Room 3C07
7910 Woodmont Ave.
Bethesda, Md. 20205

and
Bldg. 12, NIH
9000 Rockville Pike
Bethesda, Md. 20205

and at hospitals, medical schools, universities, research institutions, commercial organizations, state agencies, and collaborating government agencies. A list of locations and contracts is available upon request from the System Manager.

Categories of individuals covered by the system: Patients with cancer and related diseases, (e.g., birth defects), patients with other diseases (e.g., heart disease), normal and other persons (e.g., family members) for the purpose of making comparisons.

Categories of records in the system: Medical records, progress reports, correspondence, epidemiological computerized data and records on biological specimens (e.g., blood, tumors, urine, etc.).

Authority for maintenance of the system: 42 U.S.C. 241, and 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to DHEW contractors and collaborating researchers and their staff in the conduct of the study and in preparation of scientific reports.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

3. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Departmental Regulations, 45 CFR Part 5(b), Item 9.

4. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item 100.)

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, microfilm, charts, graphs, computer tapes disks and punch cards.

Retrievability: By name and/or code number. HEW uses: to determine (1) factors or substances in the environment which cause cancer; (2) ways in which these factors or substances may cause cancer; and (3) characteristics of persons who may be particularly susceptible to the environmental factor(s) or substance(s) and/or to cancer.

Safeguards: DHEW contractors and collaborating researchers are required to comply with the provisions of the Privacy Act and with Department Regulations. Subjects participating in a clinical study are advised that their identity will only be known to those who are involved in conducting the study and that any published findings will be in a format which precludes individual identification. Data are kept in secured areas with access limited to authorized personnel (system manager, project officer, contracting officer, collaborating researchers, staff, and DHEW contractors). Data transmitted to the NCI are in a non-personally identifiable form. For computerized records the contractor is required to comply, where appropriate, with Department standards and National Bureau of Standards Guidelines. For example, access is controlled by the use of security codes known only to authorized personnel.

Retention and disposal: One year to indefinitely depending on the project. Hard copy burned; computer tapes and disks erased.

System manager(s) and address:

Chief, Environmental Epidemiology Branch
National Cancer Institute
Landow Building, Room 3C07
7910 Woodmont Avenue
Bethesda, Maryland 20205

Notification procedure:

To determine if a file exists write to system manager and provide the following information:

- System name: Environmental Epidemiologic Studies in the Division of Cancer Cause and Prevention
- Complete name at time of study
- Facility and home address at the time the study was undertaken
- Date(s) at the time the information was provided (if known)
- Birthdate
- Disease type (if known)

Medical records notification procedures are in accordance with Departmental Regulations, Federal Register, October 8, 1975, page 47411 (45 CFR Part 5b.6) (See 12 below)

Record access procedures: The same information provided above for notification is also needed for access. (1) Non-Medical Records - written requests should be made to the System Manager providing identity verification consisting of either a notarization of the request or a certification that the individual is who he or she claims to be, and understands that the knowing and willful request for acquisition of a record pertaining to the individual under false pretenses is a criminal offense under the Act, subject to

5,000 fine. These access procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5). (2) Medical Records access procedures are in accordance with Departmental Regulations, (45 CFR, Part 5b.6). Specifically, individuals seeking access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

Contesting record procedures: Write to system manager and specify the record and the part(s) to be contested. (These procedures are in accordance with Departmental Regulations (45 CFR Part 5b.7)).

Record source categories: DHEW agencies, institutions under contract to the U.S. Government, universities, medical schools, hospitals,

research institutions, commercial institutions, state agencies, other U.S. Government agencies, patients and normal volunteers, physicians, research investigators and other collaborating personnel.

Systems exempted from certain provisions of the act: None.

09-25-0131

System name: Clinical Research: Clinical Epidemiologic Studies in the Division of Cancer Cause and Prevention, HEW/NIH/NCI.

Security classification: None.

System location:

Landow Building, Room A521
7910 Woodmont Ave.
Bethesda, Md. 20205
and
Bldg. 12, NIH
9000 Rockville Pike
Bethesda, Md. 20205

and at hospitals, medical schools, universities, research institutions, commercial organizations, state agencies, and collaborating government agencies. A list of locations and contracts is available upon request from the System Manager.

Categories of individuals covered by the system: Patients with cancer and related diseases, (e.g., birth defects), patients with other diseases (e.g., heart disease), normal and other persons (e.g., family members) for the purpose of making comparisons.

Categories of records in the system: Medical records, progress reports, correspondence, epidemiological computerized data and records on biological specimens (e.g., blood, tumors, urine, etc.).

Authority for maintenance of the system: 42 U.S.C. 241, and 282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to DHEW contractors and collaborating researchers and their staff in the conduct of the study and in preparation of scientific reports.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

3. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Departmental Regulations, 45 CFR Part 5(b), Item 9.

4. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations, 45 CFR Part 5(b), Item 100.

5. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, microfilm, charts, graphs, computer tapes disks and punch cards.

Retrievability: By name and/or code number. HEW uses: to determine (1) factors or substances in the environment which cause cancer; (2) ways in which these factors or substances may cause cancer; and (3) characteristics of persons who may be particularly susceptible to the environmental factor(s) or substance(s) and/or to cancer.

Safeguards: DHEW contractors and collaborating researchers are required to comply with the provisions of the Privacy Act and with Department Regulations. Subjects participating in a clinical study are advised that their identity will only be known to those who are involved in conducting the study and that any published findings will be in a format which precludes individual identification. Data are kept in secured areas with access limited to authorized personnel (system manager, project officer, contracting officer, collaborating

researchers, staff, and DHEW contractors). Data transmitted to the NCI are in a non-personally identifiable form. For computerized records the contractor is required to comply, where appropriate, with Department standards and National Bureau of Standards Guidelines. For example, access is controlled by the use of security codes known only to authorized personnel.

Retention and disposal: One year to indefinitely depending on the project. Hard copy burned; computer tapes and discs erased.

System manager(s) and address:

Chief, Clinical Epidemiology Branch
National Cancer Institute
Landow Building, Room A521
7910 Woodmont Avenue
Bethesda, Maryland 20205

Notification procedure:

To determine if a file exists write to system manager and provide the following information:

- a. System name: Clinical Epidemiologic Studies in the Division of Cancer Cause and Prevention.
- b. Complete name at time of study
- c. Facility and home address at the time the study was undertaken
- d. Date(s) at the time the information was provided (if known)
- e. Birthdate
- f. Disease type (if known)

Medical records notification procedures are in accordance with Departmental Regulations, (45 CFR Part 5b.6).

Record access procedures: The same information provided above for notification is also needed for access. (1) Non-Medical Records - written requests should be made to the System Manager providing identity verification consisting of either a notarization of the request or a certification that the individual is who he or she claims to be, and understands that the knowing and willful request for acquisition of a record pertaining to the individual under false pretenses is a criminal offense under the Act, subject to

5,000 fine. (These access procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5)). (2) Medical Records access procedures are in accordance with Departmental Regulations, (45 CFR, Part 5b.6). Individuals seeking access to medical records should designate a representative (including address) who may be a physician, other health professional, or other responsible individual who would be willing to review the record and inform the subject individual of its contents, at the representative's discretion.

Contesting record procedures: Write to system manager and specify the record and the part(s) to be contested. (These procedures are in accordance with Departmental Regulations (45 CFR Part 5b.7)).

Record source categories: DHEW agencies, institutions under contract to the U.S. Government, universities, medical schools, hospitals, research institutions, commercial institutions, state agencies, other U.S. Government agencies, patients and normal volunteers, physicians, research investigators and other collaborating personnel.

Systems exempted from certain provisions of the act: None.

09-25-0133

System name: Clinical Research: Kidney Transplant Histocompatibility Study(KTHS) DHEW/NIH/NIAD.

Security classification: None.

System location: Records included in this system are located in hospitals, research foundations, and universities under contract, in the Naval Medical Research Institute, and in the National Institute of Allergy and Infectious Diseases facilities in Bethesda, Md. (See Appendix I).

Categories of individuals covered by the system: Patients who have received kidney transplants and donors of kidneys transplanted at participating institutions (See Appendix I) during the period January 1, 1974, through December 31, 1976.

Categories of records in the system: Clinical and medical records containing information on clinical examinations, laboratory findings, and related research records. For kidney recipients, a demographic profile is also included.

Authority for maintenance of the system: 42 U.S.C. 241(g) and 289c.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

2. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United

States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Departmental Regulations (45 CFR Part 5b), Item 100).

3. Clinical research data are made available to authorized individuals and organizations deemed qualified to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Departmental Regulations (45 CFR Part 5b) Item 101).

4. Research data may be made available to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits, or utilization review. (Appendix B, Departmental Regulations (45 CFR Part 5b) Item 102).

5. Certain infectious diseases are reported to state governments as required by law.

6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, punched cards, and magnetic tapes or discs.

Retrievability: Information is retrieved by name and location of study and by transplant number. HEW Uses: Summaries of the data developed in this study are used to study the relevance of tissue typing to the outcome of kidney transplants. The influence or organ preservation techniques and various surgical and medical therapies are similarly studied. As a regular part of these studies, clinical research data are made available to collaborating researchers who are part of the program. These are HEW employees and/or researchers employed by the contractors.

Safeguards: The records are maintained in file cabinets in offices which are locked when not attended, with access limited to authorized personnel (system manager, principal investigator and his staff assigned to the project, project officer, contracting officer). For computerized records, safeguards are established in accordance with Departmental standards and National Bureau of Standards' guidelines, e.g., security codes are used limiting access to authorized personnel.

Retention and disposal: Records are retained for five years to indefinitely, depending on the requirements of the study. Records are burned or erased.

System manager(s) and address:

Chief, Genetics and Transplantation Biology Branch
National Institute of Allergy and Infectious Diseases, NIH
Westwood Building, Room 752
5333 Westbard Avenue
Bethesda, Maryland, 20016

Notification procedure: To determine if a record exists, write to the System Manager and provide the following information:

1. Full name
2. Name and location of clinical trial facility
3. Approximate dates of enrollment in the research study An individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion (these notification and access procedures are in accordance with Department Regulations (45 CFR, Part 5b.6)).

Record access procedures: Same as notification procedures. Requestors should also reasonably specify the record contents being sought. (These procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5)).

Contesting record procedures: Write to system manager, and reasonably identify the record and specify the information to be contested. (This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).)

Record source categories: Information contained in these records is obtained directly from individual participants and from medical records and clinical research observations.

Systems exempted from certain provisions of the act: None.

APPENDIX I - Location of Records

National Institute of Allergy and Infectious Diseases
Westwood Building, Room 750
5333 Westbard Avenue
Bethesda, Maryland 20016

Louis D. Homer, M.D., Ph.D.
Naval Medical Research Institute
National Naval Medical Center
8901 Rockville Pike
Bethesda, Maryland 20205

And in the offices of the Kidney Transplant Histocompatibility
Study Registrars at the following participating hospitals:

University of Arkansas Medical Center
4301 W. Markham
Little Rock, Arkansas 72201

Children's Memorial Hospital
2300 Children's Plaza
Chicago, Illinois 60614

Rush-Presbyterian-St. Luke's Hospital
Chicago, Illinois 60612

Billings Hospital
950 E. 59th Street
Chicago, Illinois 60637

University of Illinois Hospital
840 S. Wood
Chicago, Illinois 60612

Veterans Administration Research Hospital
333 East Huron
Chicago, Illinois 60611

Veterans Administration Hospital
Hines, Illinois 60141.

Loyola University Hospital
Maywood, Illinois 60153

Memorial Hospital
Springfield, Illinois 62705

Children's Hospital
300 Longwood Avenue
Boston, Massachusetts 02115

Massachusetts General Hospital
32 Fruit Street
Boston, Massachusetts 02114

Peter Bent Brigham Hospital
721 Huntington Avenue
Boston, Massachusetts

University of Minnesota Hospital
412 Union Street, SE
Minneapolis, Minnesota, 55455

Albany Medical Center
43 New Scotland Avenue
Albany, New York 12208

Downstate Medical Center
450 Clarkson Avenue
Brooklyn, New York 11203

Buffalo General Hospital
100 High Street
Buffalo, New York 14203

Meyer Memorial Hospital
462 Grider Street
Buffalo, New York 14215

Strong Memorial Hospital

260 Crittenden Blvd.
Rochester, New York 14620

Upstate Medical Center
766 Irving Avenue
Syracuse, New York 13210

Cleveland Clinic
2050 E. 93rd Street
Cleveland, Ohio 44106

University of Oklahoma Health Sciences Center
P.O. Box 26901
Oklahoma City, Oklahoma 73190

Parkland Memorial Hospital
5201 Harry Hines
Dallas, Texas 75235

University of Texas Medical Branch
Galveston, Texas 77550

Methodist Hospital
6516 Bertner
Houston, Texas 77025

University of Texas Health Sciences Center, San Antonio
7703 Floyd Curl Drive
San Antonio, Texas 78284

Wilford Hall Hospital
Lackland Air Force Base
San Antonio, Texas 78236

University of Utah Hospital
50 North Medical Drive
Salt Lake City, Utah 84112

09-25-0134

System name: Clinical Research: Epidemiology Studies, National Institute of Environmental Health Sciences. HEW/NIH/NIEHS

Security classification: None.

System location:

National Institute of Environmental Health Services
Environmental Biometry Branch
P. O. Box 12233
Research Triangle Park
North Carolina 27709

Categories of individuals covered by the system: Adults and minors, both male and female, with known or suspected diseases, maladies, chemical or biological contaminations, as well as normal or non-suspect individuals and minors in control or study groups for the purposes of comparison. Individuals included in this system of records normally have volunteered to participate in the study and voluntarily provided information for inclusion in the system. The participants may be, but are not limited to, patients; workers subject to specific environments; individuals selected because of social, nutritional, physical, genetic and economic conditions and behavioral characteristics; and members of the general population subject to the variety of contaminants present in the environment.

Categories of records in the system: This system consists of a variety of records pertinent to an individuals' current health status; medical history; occupational history and work environments; and selected items of personal data such as smoking habits, family size, family medical history and domiciles. Examples of information which may be included in this system are name, SSAN, date of birth, weight, height, sex, race, medical history, blood type, laboratory results, examination findings, current and previous medications received, list of employers, descriptions of the work environment, substances or compounds routinely handled or exposed to, and a history of current and previous residences.

Authority for maintenance of the system: 42U.S.C. 241.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to HEW contractors and collaborating researchers and their staff for the purposes of analyzing data and preparing scientific reports and articles.

2. Disclosure may be made to a congressional office from the record of the individual in response to an inquiry from the congress-

sional office, made at the request of the individual, and in the case of a minor, the minor's parent or legal guardian.

3. Other HEW routine uses as published in the Federal Register, October 8, 1975, page 47415, Appendix B and (45 CFR Part 5B) are listed below:

- (2) Referrals may be made of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc.
 - (3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.
 - (8) Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from a mandatory disclosure, disclosure may be made from this system of records.
 - (9) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.
 - (10) Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defining claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.
4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored in one of a combination of the following mediums: file folders, data forms, punch card, magnetic tape discs.

Retrievability: Information is retrieved by personal identifier such as name or code number. Social security numbers which are supplied on a voluntary basis also are used for retrieval. HEW USES: National Institute of Environmental Health Sciences uses the data collected to determine: factors and substances in the environment which have adverse effects on the health and well being of individuals or groups of individuals; the mechanisms by which these factors and/or substances, by themselves or in combination, produce adverse health effects; individual or group characteristics that render persons susceptible to chemical contamination, disease, or other adverse health effects from agents in the environment; general levels of environmental contamination and body burden on a national, regional, or local basis as well as within general or specific work environments; and the scientific basis for advising regulatory agencies such as the Environmental Protection Agency, the National Institute of Occupational Safety and Health and the Department of Labor on adverse health effects of substances and conditions found in the environment.

Safeguards: Access to the information is controlled by the Project Officer or his representative at remote locations. Contractors or collaborating researchers, by formal agreement, comply with the provisions of the Privacy Act and Department regulations. Hard copy data is maintained in locked file cabinets at the National Institute of Environmental Health Sciences or remote study locations. Information stored in computer systems is accessible only through proper sequencing of signal commands and access codes specifically assigned to the Project Officer or contractor in accordance with Departmental standards and National Bureau of Standards guidelines. Subjects directly participating in studies are advised that their identity is known only to those persons involved in conducting the study and that any published findings will be in a format which precludes individual identification.

Retention and disposal: The records are maintained until they are no longer required for the research purpose(s) for which the record

was established. The records are destroyed by shredding, burning, or other appropriate means so as to render them illegible. Computer tapes and discs are erased.

System manager(s) and address:

Chief, Environmental Biometry Branch
National Institute of Environmental Health Sciences
P. O. Box 12233
Research Triangle Park
North Carolina 27709

Notification procedure: Normally, individuals would know whether a file existed on the basis of their voluntary participation and provision of data. However, individuals may write to the systems manager to determine if a file exists. In writing, they should provide the following data:

- a. Complete name at the time of the study.
- b. Birthdate.
- c. Home address at the time of the study.
- d. The facility where the examination was given or information otherwise collected.
- e. Date, or approximate dates when information was collected or an examination conducted.
- f. Name of study if known.
- g. A current name, address and telephone number where they can be reached.
- h. The name, address and telephone number of a responsible representative who will be willing to review the record and inform the requester of its contents at his/her discretion, in the event the file contains medical or medically related information. The representative may be a physician, other health professional, or any other responsible individual of the person's choice. These provisions for notification regarding medical records are in accordance with Department Regulation (45 CFR Part 5b.6).

Record access procedures: The same information as outlined under notification procedures is needed for access to records except as noted under the provisions for access to medical records. For non-medical records, the request should be addressed to the Systems Manager and accompanied by either a notarized statement that the person is who he/she claims to be or a certification that the individual is who he/she claims to be, and understands that the knowing and willful request for acquisition of a record pertaining to an individual under false pretenses is a criminal offense subject to a

5,000 fine. (These access procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5)) In addition, for access to medical records, as with notification, the requester must provide the name, address, and telephone number of a responsible representative who will be willing to review the record and inform the requester of its contents at his/her discretion. The representative may be a physician, other health professional, or any other responsible individual of the person's choice. These provisions for access to medical records are in accordance with Department Regulation (45 CFR, Part 5b.6).

Contesting record procedures: Write to the System Manager and specify the record and the information to be contested. (These procedures are in accordance with Departmental Regulations (45 CFR Part 5b.7)).

Record source categories: HEW agencies, institutions under contract to the U.S. Government, universities, medical schools, hospitals, commercial, institutions, labor and trade organizations, State agencies, international agencies, foreign governments, other U.S. Government agencies, patients and normal volunteers, physicians, researchers and other collaborating personnel.

Systems exempted from certain provisions of the act: None.

09-25-0135

System name: Grants: PROPHET System Research Prospectuses. HEW/NIH/DRR.

Security classification: None.

System location:

Bldg. 31, Rm. 6A06, NIH
9000 Rockville Pike
Bethesda, MD 20205

Categories of individuals covered by the system: Applicants for access to the facilities and services of the PROPHET System, a unique national computer resource for the study of chemical/biological interrelationships.

Categories of records in the system:

- (a) descriptions of the research objectives of the applicant individuals or groups and their plans for use of the PROPHET system in support of their research

- (b)biographical sketches of all key individuals associated with the prospectuses
- (c)evaluation documents
- (d)related correspondence

Authority for maintenance of the system: 42 U.S.C. 241(a)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

1. Of assignments of research investigators and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item (2)).

2. To the Cognizant Audit Agency for auditing.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

4. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. To qualified experts not within the definition of Department employees as prescribed in Department Regulations (45 CFR, Part 5b.2) for opinions as a part of the application review process.

6. To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item (4)).

7. To individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item (10)).

8. To a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in a system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Appendix B, Departmental Regulations, 45 CFR Part 5b, Item 9).

9. To the grantee institution in connection with performance or administration under the terms and conditions of the award.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: System is indexed by name of principal individual associated with the prospectus and by program identification number. HEW use: system is used exclusively in support of the Chemical/Biological Information-Handling (CBIH) Program management—i.e., technical merit review of prospectuses, allocation of PROPHET services, analysis and evaluation of ongoing activities, and program planning.

Safeguards: The records are maintained in cabinets in the office of the Program Director, CBIH. Access is limited to authorized personnel, i.e., system manager and members of his staff, review committee members.

Retention and disposal: Number of years held at NIH: 2 Disposal methods include burning or shredding paper materials.

System manager(s) and address:

Program Director
Chemical/Biological Information-Handling Program
Division of Research Resources
Bldg. 31, Rm. 6A-04
National Institutes of Health
9000 Rockville Pike
Bethesda, MD 20205

Notification procedure: Program Director, Chemical/Biological Information-Handling Program at address listed above and ask if a file exists with your name in the PROPHET System Research Prospectuses.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. These notification and access procedures are in accordance with Departmental Regulations (45 CFR Part 5b.5)).

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations (45 CFR, Part 5b.7).

Record source categories: The information is provided by the individuals themselves and by NIH consultants who assess the scientific and technical merit of the prospectuses.

Systems exempted from certain provisions of the act: None. 1 5513

09-25-0137

System name: Administration: Medical Library Management Intern Program, HEW/NIH/NLM.

Security classification: None.

System location:

Council on Library Resources
One Dupont Circle, NW
Suite 620
Washington, D.C. 20036

Categories of individuals covered by the system: Persons applying for admission to the Medical Library Management Intern Program.

Categories of records in the system: Qualifications statements based on education, experience, and training; evaluations; correspondence; references; and the panel recommendations.

Authority for maintenance of the system: 42 U.S.C. 276(a)(6); 42 U.S.C. 280b(b)(1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a panel of non-Federal Employees for the purpose of evaluating the applicants.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in file folders.

Retrievability: By name or code number, HEW use: To determine the eligibility and desirability of applicants to the intern program. The applications are reviewed by a panel of experts selected by the contractor.

Safeguards: The DHEW Contractor will comply with the provisions of the Privacy Act and with Department Regulations. Data are kept in secured areas with access limited to authorized personnel.

Retention and disposal: File of unsuccessful applicants is retained for not more than one year, then destroyed. Those of successful candidates may be maintained for up to three years.

System manager(s) and address:

Project Officer
Medical Library Management Intern Program
Office of Extramural Programs
National Library of Medicine, Federal Building
7550 Wisconsin Avenue
Bethesda, Md. 20209

Notification procedure: Write to System Manager. (These procedures are in accordance with Departmental Regulations 45 CFR, section 5b.5.)

Record access procedures: Written requests should be made to the System Manager providing identity verification consisting of either a notarization of the request or a certification that the individual is who he or she claims to be, and understands that the knowing and willful request for acquisition of a record pertaining to the individual under false pretenses is a criminal offense under the Act, subject to

5,000 fine. (These procedures are in accordance with Departmental Regulations 45 CFR, section 5b.5.)

Contesting record procedures: Write to System Manager and specify the record and the part(s) to be contested. (These procedures are in accordance with Departmental Regulations 45 CFR, section 5b.7.)

Record source categories: Applicant and applicant's personal references.

Systems exempted from certain provisions of the act: None.

09-25-0138

System name: Biomedical Research: Studies of Possible Influence on Cognitive and Emotional Development of Children, HEW/NIH/NICHD

Security classification: None.

System location:

National Institute of Child Health and Human Development
Bldg. 31, Room B2B15
9000 Rockville Pike
Bethesda, Maryland 20205

NIH

Bldg. 12

9000 Rockville Pike
Bethesda, Maryland 20205

Categories of individuals covered by the system: Adults and their children who have specifically agreed to participate in studies of the Social and Behavioral Sciences Branch.

Categories of records in the system: Psychological tests, observations and parental responses to questionnaires and interviews regarding various aspects of the child's development.

Authority for maintenance of the system: 42 USC 241, 289d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. Certain infectious diseases are reported to state governments as required by law.

3. Disclosure may be made to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR, Part 5b), item 100).

4. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, microfiche, computer tapes and discs.

Retrievability: Identifier codes HEW uses: to determine (1) prenatal and perinatal correlates of later development; (2) possible environmental influences on later development; (3) stability of development; and (4) possible early predictors of later cognitive and emotional difficulties.

Safeguards: Data is kept in secured areas and access limited to authorized personnel (system manager and research staff). Access to computerized data is controlled by the use of identification codes known only to authorized personnel. For computerized records the investigator is required to comply, where appropriate, with Department standards and National Bureau of Standards Guidelines. For example, access is controlled by the use of security codes known only to authorized personnel.

Retention and disposal: One year to five years depending on the study. Hard copy shredded; computer tapes and discs erased.

System manager(s) and address:

Chief, Social and Behavioral Sciences Branch
National Institute of Child Health and Human Development
Bldg. 31, Room B2B15
9000 Rockville Pike
Bethesda, Maryland 20205

Notification procedure: To determine if a file exists, write to system manager and provide the following information:

- a. System name: Studies of Possible Influences in Early Cognitive and Emotional Development carried out by the Social and Behavioral Sciences Branch
- b. Complete name at time of study
- c. Home address at time the study was undertaken
- d. Date(s) at the time information was provided (if known)
- e. Birth date
- f. An individual who requests notification of or access to a medical record shall at the time the request is made designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6))

Record access procedures: Same as notification procedures. Requestors should also reasonably specify the record contents being sought. (These procedures are in

Contesting record procedures: Write to system manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations 45 CFR, Part 5b.7.)

Record source categories: Information provided by subjects, family, and clinical investigators.

Systems exempted from certain provisions of the act: None.

09-25-0140

System name: International Activities: Scientific Visitors at the National Institutes of Health, HEW/NIH/FIC

Security classification: None.

System location:

Fogarty International Center
Building 16
and
Division of Computer Research and Technology
Building 12
National Institutes of Health
9000 Rockville Pike
Bethesda, Maryland 20205
Ancillary records are located in laboratories where participants are assigned.

Categories of individuals covered by the system: Health scientists (mainly foreign but some resident aliens and US citizens) at all levels of their postdoctoral careers who are invited to the National Institutes of Health campus for further training or to conduct research in their biomedical specialties.

Categories of records in the system: History of fellowship, employment and/or stay at NIH; education and references. For payroll purposes, social security numbers are requested of all applicants accepted into the program.

Authority for maintenance of the system: 42 U.S.C. 2421.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is made available to authorized employees and agents of the US, including the General Accounting Office, for purposes of investigations, inspections and audits, and in appropriate cases, to the Department of Justice for proper action under civil and criminal laws.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such

disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: They are stored in file folders and on file cards, magnetic tape and microfilm.

Retrievability: By name and country of citizenship, HEW use: The program was established to facilitate the exchange of ideas among scientists at all levels of their postdoctoral research careers who spend from one to three years in the laboratories of NIH. Biographical information and references are submitted by the prospective participants for use by the review staffs of NIH and other Public Health Service agencies (Food and Drug Administration and Alcohol, Drug Abuse, and Mental Health Administration) which maintain laboratories on the NIH campus. Invitations are extended by the Directors of the Institutes and other PHS agencies.

Safeguards: Access limited to authorized personnel (system manager and staff). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security, codes) are used, limiting access to authorized personnel.

Retention and disposal: Records of successful applicants are retained indefinitely.

System manager(s) and address:

Chief, International Visitors Center
Fogarty International Center
Building 16, Room 202A
National Institutes of Health
9000 Rockville Pike
Bethesda, Maryland 20205

Notification procedure: Requests for notification of or access to records should be addressed to the system manager as listed above. Verification of identity is required. (This procedure is in accordance with Department Regulations 45 CFR Part 5b.5.)

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5.)

Contesting record procedures: Contact the official under notification procedure above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations 45 CFR, Section 5b.7.)

Record source categories: Applicants and persons supplying references.

Systems exempted from certain provisions of the act: None. /*

Billing Code 4110-83-M

09-20-0000

System name: Cooperative Mycoses Study - HEW/CDC/OCD.

Security classification: None.

System location:

Federal Records Center
East Point, Georgia

Categories of individuals covered by the system: Histoplasmosis, blastomycosis, coccidioidomycosis, aspergillosis, and other miscellaneous fungal infected patients who participated in the cooperative mycoses study conducted between 1947 and 1973 at the former CDC Kansas City Field Station, Ecological Investigations Division, Kansas City, Kansas

Categories of records in the system: Medical records and related papers.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Cooperating facilities as follows:

Ohio State University Hospital
Tuberculosis Service
Columbus, Ohio

San Antonio State Chest Hospital
San Antonio, Texas

East Texas Chest Hospital
Tyler, Texas

Missouri State Chest Hospital
Mt. Vernon, Missouri

Mt. Vernon State Tuberculosis Sanatorium
Mt. Vernon, Illinois

Bureau of Health Services
Department of Human Resources
Frankfort, Kentucky

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and Approved FRC boxes.

Retrievability: The purpose of the study was evaluation of the treatment of systemic fungal diseases by the U. S. Public Health Service and clinicians in selected hospitals and sanatoriums. Records retrieved by name.

Safeguards: Electronic Anti-Intrusion Devices.

Retention and disposal: Schedule for disposal pending.

System manager(s) and address:

Assistant Director for Program
CDC
Bldg. 1, Room 224
Atlanta, Ga. 30333

Notification procedure: To determine if a file exists, write the Assistant Director for Program, Building 1, Room 224, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and Part 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Participating hospitals and sanatoriums listed above.

Systems exempted from certain provisions of the act: None.

Billing Code 4110-86-M

09-20-0001

System name: Certified Interpreting Physician File -- HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Respiratory Disease Studies (DRDS)
National Institute for Occupational Safety and Health (NIOSH)
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Categories of individuals covered by the system: Physicians who have been certified to interpret x-rays under the Federal Coal Mine Health and Safety Act of 1969.

Categories of records in the system: Physician's qualifications.

Authority for maintenance of the system: Coal Mine Health and Safety Act Section 203(30 U.S.C. 843).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Name and address supplied to coal operators and x-ray facilities so that they may contact physician to do work for them.
2. Name, address and social security number supplied to Department of Labor to be used in approving Title IV Benefits under the Act.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer printouts, microfilm, computer tape, computer disk.

Retrievability: The main purpose is to provide certified physicians to read x-rays. Data is provided to the Social Security Administration to be used in approving Title IV Benefits under the Act. Name or social security number is the index used to retrieve records. Social security numbers which are supplied on a voluntary basis are used for retrieval.

Safeguards:

- 24-hour guard service in building
- Locked building; locked rooms
- Personnel screening
- Locked computer room and computer tape vaults
- Locked file cabinets
- Computer tapes are password protected

For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW/ADP Systems Manual.

Retention and disposal: Records are retained indefinitely unless disposal of a record is requested by the individual physician. Disposal methods include erasing computer tapes and burning or shredding printouts.

System manager(s) and address:

Program Management Officer, DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists, write to:

Director, DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These

procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

09-20-0027

System name: Radiation exposure records for NIOSH Employees HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Safety Research (DSR)
National Institute for Occupational Safety and Health (NIOSH)
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Division of Technical Services (DTS), NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Categories of individuals covered by the system: Present and past NIOSH employees.

Categories of records in the system: Name, X-Ray exposure levels.

Authority for maintenance of the system: Occupational Safety and Health Act Section 19 (29 U.S.C. 668).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files.

Retrievability: The purpose of this system is to maintain X-Ray exposure records to prevent toxic exposure to harmful rays. Name is the index used to retrieve records from this system.

Safeguards:

- 24-hour guard service in building
- Locked building; locked rooms
- Personnel screening
- Locked file cabinets

Retention and disposal: Record copy maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include burning or shredding paper materials.

System manager(s) and address:

Physicist
Testing and Certification Branch, DSR, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Industrial Hygienist
DTS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists, write to:

Director, DSR, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

09-20-0055

System name: Research/Demonstration, and Training Grants, Application Files -- HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Research Grants, NIH
Westbard Bldg.
Westbard Ave.
Bethesda, Maryland, 20014

Grants Administration and Review Branch
National Institute for Occupational Safety and Health (NIOSH)
Parklawn Bldg., Rm. 8-63
5600 Fishers Lane
Rockville, Maryland 20857

Division of Training and Manpower Development, NIOSH
4676 Columbia Pkwy.
Cincinnati, Ohio 45226

Grants Management Officer, NIOSH
Parklawn Bldg., Rm. 8-35
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Applicants for occupational safety and health research and demonstration grants, and training grants.

Categories of records in the system: Draft and final Grant application and review history, awards, financial records and progress reports and related correspondence.

Authority for maintenance of the system: Occupational Safety and Health Act, Sections 20 and 21 (29 U.S.C. 669, 670).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Referrals may be made of assignments of research investigations and project monitors to specific research projects to the Smithsonian Institution to contribute to the Smithsonian Science Information Exchange, Inc. (42 CFR part 5b, Appendix B, item (2)).

(2) To the cognizant audit agency for auditing.

(3) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

(4) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(5) To qualified experts not within the definition of Department employees as prescribed in Department regulations (45 CFR, Part 5b.2) for opinions as a part of the application review process.

(6) To a Federal agency, in response to its request, in connection with the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(7) To individuals and organizations deemed qualified by PHS to carry out specific research related to the review and award processes of PHS.

(8) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in a system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records (42 CFR Part 5b, Appendix B, item (9)).

(9) To the grantee institution relative to performance or administration under the terms and conditions of the award.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5X8 cards, computer tapes and discs, notebooks and file folders.

Retrievability: The purpose of this system is to review grant applications for research and training and to administer funded grants. This information is provided to NIH and to other components of NIOSH for review. Name is the index used to retrieve information.

Safeguards: The records are maintained in locked cabinets with access limited to authorized personnel (system manager, principal investigator assigned to the project, project officer). For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW/ADP Systems Manual.

Retention and disposal: Information is kept for one year beyond termination and then sent to the Federal Records Center for five years, after which it is destroyed. Unfunded applications are treated in the same manner. Draft applications are kept for one year or until an official application is received and then destroyed.

System manager(s) and address:

Chief, Grants Section
Procurement and Grants Management Branch, (PGMP)
Office of Administrative and Management Services, (OAMS)
National Institute for Occupational Safety and Health, (NIOSH)
Room 8-35
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure: To determine if a record exists, write to:

Chief, PGMB, OAMS, NIOSH
Room 8-29
5600 Fishers Lane
Rockville, Maryland 20857

Record access procedures: Contact the System Manager. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

09-20-0059

System name: Division of Training Mailing List -- HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Training and Manpower Development (DTMD)
National Institute for Occupational Safety and Health (NIOSH)
4676 Columbia Parkway
Cincinnati, Ohio 45226

Parklawn Computer Center
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: Persons who have taken a NIOSH Training Course or who ask to be placed on the list.

Categories of records in the system: Name and address.

Authority for maintenance of the system: Occupational Safety and Health Act, Section 21 (29 U.S.C. 670).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tapes, addressograph plates.

Retrievability: The purpose of this system is to advise prospective students of upcoming NIOSH training courses. Name and Student Number are the indexes used to retrieve records from this system.

Safeguards:

24-hour guard service in building
Locked building; locked rooms
Personnel screening
Locked file cabinets

Locked computer room and computer tape vaults

For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW ADP Systems Manual.

Retention and disposal: Record copy maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include erasing computer tapes and burning or shredding paper materials.

System manager(s) and address:

Audio Visual Production Officer, DTMD, NIOSH
4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists, write to:

Director, DTMD, NIOSH
4676 Columbia Parkway
Cincinnati, Ohio 45226

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

09-20-0082

System name: Diagnosis of occupational disease by analysis of body fluids or tissues through biochemical or clinical chemical analysis — HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Biomedical and Behavioral Science (DBBS),
National Institute for Occupational Safety and Health (NIOSH)
Robert A. Taft Laboratories
Cincinnati, Ohio 45226

Categories of individuals covered by the system: Industrial workers.

Categories of records in the system: Medical Records, information necessary to interpret the medical records, and results of clinical laboratory tests.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20(29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Test results furnished to physician who requests analysis.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, 45 CFR Part 5b, item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files.

Retrievability: The main purpose is to identify occupational diseases. Name or code is used to retrieve records from this system.

Safeguards:

Building guards
Personnel screening

Retention and disposal: Record copy maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate.

System manager(s) and address:

Chief, Clinical and Biochemical Support Section, DBBS,
NIOSH,
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists, write to:

Director, DBBS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Private and Industrial physicians.

Systems exempted from certain provisions of the act: None.

09-20-0083

System name: Diagnostic methods for identification of occupational diseases through biopsy and/or autopsy specimens — HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Biomedical and Behavioral Science, DBBS, National
Institute for Occupational Safety and Health (NIOSH)
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Categories of individuals covered by the system: Industrial workers.

Categories of records in the system: Medical records, and information necessary to interpret the medical records.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20(29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Test results are furnished to the physician who requests analysis. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more other sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, state, or local agency. Cause of death will enable NIOSH to evaluate whether excess occupationally related mortality is occurring.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files.

Retrievability: The main purpose is to identify occupational diseases. Name or code is used to retrieve records from this system.

Safeguards:

Building guards
Personnel screening

Retention and disposal: Record copy maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate.

System manager(s) and address:

Chief, Pathology Section, DBBS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists, write to:

Director, DBBS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations 45 CFR, Section 5b.7)).

Record source categories: Private and Industrial physicians.

Systems exempted from certain provisions of the act: None.

APPENDIX I Potential Sources for Determination of Vital Status

Military Records

Appropriate State Motor Vehicle Registration Departments
Appropriate State Drivers License Departments
Appropriate State Government Divisions of:
Assistance Payments (Welfare), Social Services, Medical Services,
Food Stamp Program, Child Support, Board of Corrections, Aging,
Indian Affairs, Workman's Compensation, Disability Insurance
Retail Credit Association Follow up
Veteran's Administration Files
Appropriate employee union or association records
Appropriate company pension or employment records
Company group insurance records
Appropriate State Vital Statistics Offices
Life Insurance Companies
Railroad Retirement Board
Area Nursing Homes
Area Indian Trading Posts
Mailing List Correction Cards (U.S. Postal Service)
Letters and telephone conversations with relatives
Letters and telephone conversations with former employees of the same establishment as cohort member
Appropriate local newspaper (obituaries)

Billing Code 4110-87-M

09-20-0086

System name: Surveillance of Persons on Isoniazid Preventive Treatment for Tuberculosis - HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division
Building 6, Room 224, CDC
Atlanta, GA 30333
and Regional Federal Records Center

Categories of individuals covered by the system: Health Department Patients.

Categories of records in the system: Medical records.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Health Departments and other public health or cooperating medical authorities.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, file folders, and magnetic tape.

Retrievability: Statistical aggregate use. To determine extent of isoniazid-related hepatitis in persons taking isoniazid as preventive therapy against tuberculosis. Retrievable by name and I.D. number.

Safeguards: Source documents and tapes of current projects are kept in locked building with security guards during non-business hours. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Transfer to Federal Records Center when no longer needed for evaluation and analysis. Destroy when 20 years

old unless needed for further study. How destroyed: paper shredded or burned; scratch tape.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: State and Local Health Departments. Systems exempted from certain provisions of the act: None.

09-20-0087

System name: Surveillance of Accidental Rubella Vaccination of Pregnant Women - HEW/CDC/BSS.

Security classification: None.

System location:

Immunization Division, Building 1, Room 4054, CDC
Atlanta, GA 30333

Categories of individuals covered by the system: Women who were vaccinated against rubella immediately preceding pregnancy or accidentally vaccinated during pregnancy.

Categories of records in the system: Epidemiological and serological.

Authority for maintenance of the system: Public Health Service Act, Section 301, 361 (42 U.S.C. 244, 264).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filing cabinets.

Retrievability: The data are used in the form of statistical summaries to maintain surveillance on pregnant women who receive rubella

vaccine; the identifiers are used to add additional or corrective data to the master file. Records are retrievable by identifying code number.

Safeguards: Routine office and building security.

Retention and disposal: Number years held at CDC: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with (CDC's) Records Control Schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Private Physicians.

Systems exempted from certain provisions of the act: None.

09-20-0088

System name: Subacute Sclerosing Panencephalitis Surveillance - HEW/CDC/BSS.

Security classification: None.

System location:

Immunization Division
Building 1, Room 4054, CDC
Atlanta, GA 30333

Categories of individuals covered by the system: Patients with diagnosis of SSPE.

Categories of records in the system: Epidemiological and clinical histories.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such

disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: The data are used in the form of an aggregate summary to further define the epidemiology of the disease; the identifiers are used only to complete records as additional and corrective information becomes available. Records are retrievable by identifying code number.

Safeguards: Routine office and building security. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Number years held at CDC: 10 years.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Private physicians.

Systems exempted from certain provisions of the act: None.

09-20-0089

System name: Studies of Treatment of Tuberculosis and other Mycobacterioses—HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division
Building 6, Room 211, CDC
Atlanta, GA 30333
and Regional Federal Records Center

Categories of individuals covered by the system: Selected patients with TB or other mycobacterial disease being treated or observed by participating health departments, clinics, and hospitals.

Categories of records in the system: Medical records.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Health Departments and other public health or cooperating medical authorities.

Disclosure may be made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for purpose of carrying out such research. (42 CFR Part 5b, Appendix B, item (101)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical

condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card, file folders, and magnetic tape.

Retrievability: To determine the effectiveness and safety of treatments for tuberculosis and other mycobacterial disease is the purpose of the system. Data are used in statistical, aggregate form only. Records are retrievable by name and I.D. number.

Safeguards: Source documents and tapes of current projects are kept in locked building with security guards during non-business hours. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Transfer to Federal Records Center when no longer needed for evaluation and analysis. Destroy when 20 years old unless needed for further study. How destroyed: paper shredded or burned. Tape scratched.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Individuals, Local Health Departments, Hospitals, and Clinics.

Systems exempted from certain provisions of the act: None.

09-20-0090

System name: Studies of Testing for Tuberculosis and other Mycobacterioses—HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division
Building 6, Room 255, CDC
Atlanta, GA 30333
and Regional Federal Records Center

Categories of individuals covered by the system: Study participants include patients, clientele, and employees of health departments, hospitals, and other institutions currently observing and/or treating cases of tuberculosis and other mycobacterial disease.

Categories of records in the system: Medical Records.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Test results will be returned to the collaborating physician or responsible hospital official.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, file folders, and magnetic tape.

Retrievability: Statistical aggregate use. To determine the appropriate concentrations and usefulness of substances to be used in skin testing, and to collect epidemiologic data regarding mycobacteria. To study the effects of the first skin test on subsequent tests. Records retrievable by name and I.D. number.

Safeguards: Source documents and tapes of current projects are kept in locked building with security guards during non-business hours. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Transfer to Federal Records Center when no longer needed for evaluation and analysis. Destroy when 20 years old unless needed for further study. How destroyed: Paper shredded or burned. Tape scratched.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Individuals and hospitals.

Systems exempted from certain provisions of the act: None.

09-20-0093

System name: Tuberculosis Prophylaxis Studies - Alaska and Puerto Rico - HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division, BSS
225 Eagle Street
Anchorage, Alaska 99501

819 27 So. Street
Las Lomas, Rio Piedras
Puerto Rico
and Alaska Activity, Bureau of Epidemiology
225 Eagle Street
Anchorage, Alaska 99501
and Regional Federal Records Center
TB Control Division, BSS, CDC
Building 6, Room 221
Atlanta, Georgia 30333

Categories of individuals covered by the system: Study participants.

Categories of records in the system: Medical records.

Authority for maintenance of the system: Public Health Service Act, Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards and file folders.

Retrievability: Statistical aggregate use. To determine the effectiveness and safety of isoniazid therapy in various population groups at high risk of developing tuberculosis. Records retrievable by name.

Safeguards: Source documents are kept in locked building with security guards during non-business hours. Data in Alaska is kept in a locked CDC facility during non-business hours.

Retention and disposal: Transfer to Federal Records Center when no longer needed for evaluation and analysis. Destroy when 20 years old unless needed for further study. How destroyed: shredded or burned.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as

well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Participants and/or family members of participants.

Systems exempted from certain provisions of the act: None.

09-20-0094

System name: Tuberculosis Primary Drug Resistance Study -- HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division
Building 6, Rooms 249, 259 and 243, CDC
Atlanta, GA 30333.
and Regional Federal Records Center.

Categories of individuals covered by the system: Health Department Patients.

Categories of records in the system: Medical records.

Authority for maintenance of the system: Public Health Service Act, Section 301(42, U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Health Departments and other public health or cooperating medical authorities. Research data are made available to approved or collaborating researchers, including HEW contractors and grantees.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and magnetic tape.

Retrievability: Statistical aggregate use. To determine over time if the trends in resistant tubercle bacilli organisms of newly diagnosed and previously untreated cases of tuberculosis are changing. Records are retrievable by I.D. number.

Safeguards: Source documents and tapes of current projects are kept in locked building with security guards during non-business hours. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Transfer to Federal Records Center when no longer needed for analysis and evaluation. Destroy when 20 years old unless needed for further study. How destroyed: paper shredded or burned. Tape scratched.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration; (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: State and local Health Departments, and Laboratories.

Systems exempted from certain provisions of the act: None.

09-20-0095

System name: Zoster Immune Globulin Records on High Risk Immunosuppressed Children Exposed to Chickenpox -- HEW/CDC/BSS.

Security classification: None.

System location:

Immunization Division
Bldg. 1, Rm. 4054, CDC
Atlanta, GA 30333.

Categories of individuals covered by the system: High risk immunosuppressed children who are exposed to chickenpox.

Categories of records in the system: Epidemiological and clinical histories.

Authority for maintenance of the system: Public Health Service Act, Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filing cabinets

Retrievability: These data are used in an aggregate form to determine the effectiveness of ZIG in the prevention or modification of

chickenpox in high-risk immunosuppressed children; the identifiers are used to add additional and corrective data to the master file as it becomes available. Records are retrievable alphabetically by name.

Safeguards: Metal file cabinets; routine building security.

Retention and disposal: Number years held at CDC: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with (CDC's) Records Control Schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director, BSS
Bldg. 1, Rm. 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department of Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Private Physicians.

Systems exempted from certain provisions of the act: None.

09-20-0096

System name: Tuskegee Study of Untreated Syphilis Medical Care Program - HEW/CDC/BSS

Security classification: None.

System location:

Bureau of State Services
Bldg. 1, Room 2047, CDC
Atlanta, GA 30333

Categories of individuals covered by the system: Participants in the study, which began in the early 1930's.

Categories of records in the system: Medical records and related study data.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research.

Information may be furnished to courts of competent jurisdiction and to attorneys for legal purposes.

Records may be disclosed to Health Departments and other public health or cooperating medical authorities.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is

likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Folders.

Retrievability:

Information from the files is used by DHEW officials to:

1. Determine eligibility for medical care for those participants eligible for such services in accordance with DHEW policy;
2. Determine status of participants in litigation.

Records are retrievable alphabetically by name.

Safeguards: Records are kept in locked building with security guards during non-business hours. Access to management officials and staff who review and approve payments of medical costs.

Retention and disposal: Number of years held at CDC: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with (CDC's) Recorded Control schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director
Bureau of State Services
Bldg. 1, Rm 2047, CDC
Atlanta, Georgia 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Participants and family members of participants entitled to medical care; Social Security Administration for Medicare information; and State Welfare Departments for information on Medicaid.

Systems exempted from certain provisions of the act: None.

09-20-0097

System name: Studies of the Effects of BCG Vaccinations for Tuberculosis. HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division
819 27 So. Street
Las Lomas, Rio Piedras, Puerto Rico
and
TB Control Division
Research & Development Branch
Bldg. 6 - Room 222, CDC
Atlanta, Georgia 30333
and
Program Control de Tuberculosis
Antiguo Hospital - San Patricio
Puerto Nuevo, Puerto Rico 00901

Categories of individuals covered by the system: Persons who received BCG vaccinations at county health clinics in Muscogee County, Georgia, and Russell County, Alabama, and the local public health clinic in Las Lomas, Rio Piedras, Puerto Rico.

Categories of records in the system: Medical Records.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Health Departments and other public health or cooperating medical authorities.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100).

Disclosure may be made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (45 CFR, Part 5b) Appendix B Item (101).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards and file folders.

Retrievability: Statistical aggregate use. To test the effectiveness and safety of BCG vaccinations in reducing the incidence of tuberculosis in non-reactors to the tuberculin skin tests. Information from these records will be used by the National Cancer Institute to determine any relationship between BCG vaccination and cancer. Records are retrievable by name.

Safeguards: All data is kept in a building that is locked during non-business hours.

Retention and disposal: Transfer to Federal Records Center when no longer needed for evaluation and analysis. Destroy when 20 years old unless needed for further study. How destroyed: Shredded or burned.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Participants and family members of participants, Commonwealth of Puerto Rico.

Systems exempted from certain provisions of the act: None.

09-20-0098

System name: Congenital Rubella Registry -- HEW/CDC/BSS.

Security classification: None.

System location:

Immunization Division
Building 1, Room 4054, CDC
Atlanta, GA 30333

Categories of individuals covered by the system: Patients with diagnosis of rubella at birth.

Categories of records in the system: Epidemiological and clinical histories.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filing cabinets.

Retrievability: The data are used in the form of aggregate summary to maintain surveillance on CRS and to identify changing trends of disease patterns resulting from rubella vaccine programs; the identifiers are used to add additional or corrective data to the master file as it becomes available. Records are retrievable by identifying code number.

Safeguards: Routine office and building security.

Retention and disposal: Number years held at CDC: Records may be retired to a Federal Record Center and subsequently disposed of in accordance with (CDC's) Records Control Schedule. The records control schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room No. 2047, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Private Physicians.

Systems exempted from certain provisions of the act: None.

09-20-0102

System name: Alien Mental Waiver Program -- HEW/CDC/BE.

Security classification: None.

System location:

International Health Information and Visa Medical Activity
Quarantine Division, Building 6, Room 265
Atlanta, GA 30333
& Regional Federal Records Center

Categories of individuals covered by the system: Immigrant aliens with Mental Waivers.

Categories of records in the system: Medical history files (Forms I-601 Application for Waiver; FS-398 Medical Report).

Authority for maintenance of the system: Public Health Service Act Section 325 (42 U.S.C. 252); Immigration and Nationality Act Section 212(g) (8 U.S.C. 1182(g)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of State (DOS) or Immigration and Naturalization Service (INS) obtains initial medical examinations and submits to Quarantine Division of CDC. Final diagnosis returned to submitter. Alien or sponsor furnishes copy of medical file to local health care facility in U.S.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual file folders.

Retrievability: Aliens granted mental waivers by U.S. Department of State or the Immigration and Naturalization Service, are subject to up to five years of supervision upon entering the U.S. Initial and followup reports are maintained in medical history file. Records are retrievable by name.

Safeguards: Only persons having access to files are Quarantine Division personnel. Files are maintained in that office in metal file cabinets. Any request for medical information in the case file must be made in writing, and signed by alien, parent, or sponsor.

Retention and disposal: Number years held at CDC: 5. Number years held at Federal Records Center before disposal: 5. How destroyed: Shredded and made into pulp.

System manager(s) and address:

Director
Bureau of Epidemiology
Room 5009, Bldg. 1, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Epidemiology, Building 1, Room 5009, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or

questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Prior to alien's arrival in the U.S., medical information is submitted by Department of State and/or Justice Department (INS); after arrival, medical reports submitted by medical specialists, schools, or institutions.

Systems exempted from certain provisions of the act: None.

09-20-0103

System name: Alien Tuberculosis Follow-up Program -- HEW/CDC/BE.

Security classification: None.

System location:

International Health Information and Visa Medical Activity
Quarantine Division, Building 6, Room 265
Atlanta, GA 30333

Categories of individuals covered by the system: Immigrant Aliens with Tuberculosis.

Categories of records in the system: Medical history. (Forms CDC 4.451 and CDC 4.447).

Authority for maintenance of the system: Public Health Service Act Section 325 (42 U.S.C. 252); Immigration and Nationality Act, Section 212(g) (8 U.S.C. 1182(g)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Statistical data may be used for Tuberculosis Conferences, meetings or publications. Form CDC 4.451, "Report on Alien with Tuberculosis Waiver," and form CDC 4.447 "Report on Alien with Tuberculosis not considered active" are distributed from port of entry in the United States to: the alien, local health department, State health department, the physician or health facility that will provide the medical care, and to the Quarantine Division of CDC.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card file.

Retrievability: Purpose is to provide medical care. Retrievable alphabetically, and by week of arrival.

Safeguards: Only persons having access to files are staff members of Quarantine Division, and Tuberculosis Control Division. Files are stored in metal file cabinets.

Retention and disposal: Number months held at CDC: 3. How destroyed: shredded.

System manager(s) and address:

Director, Bureau of Epidemiology
Room 5009, Bldg. 1, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Epidemiology, Building 1, Room 5009, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Information obtained from alien's visa medical documents at port of entry by Quarantine Inspectors.

Systems exempted from certain provisions of the act: None.

09-20-0106

System name: Specimen Handling for Testing and Related Data -- HEW/CDC/BL.

Security classification: None.

System location:

Bureau of Laboratories, Scientific Services
Bldg. 4 - Room 35, CDC
Atlanta, GA 30333

Hepatitis Laboratories Division
Room 123
4402 North 7th St.
Phoenix, Ariz. 85014

Categories of individuals covered by the system: Patients whose specimens have been submitted to CDC for testing.

Categories of records in the system: Results of diagnostic tests--microbiology, clinical chemistry, hematology and pathology.

Authority for maintenance of the system: Public Health Service Act, Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Health Departments and other public health or cooperating medical authorities.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original Form - file folders; microfilm copies - computer storage.

Retrievability: Test results returned to submitter. Used between specialty units for research purposes; and for epidemiological investigations for epidemic causes, prevention, family groupings of diseases, and geographical location of specific diseases; also, used by epidemiologists and researchers in determining drug resistance of specific organisms. Retrievable by: name or designated number furnished by the submitter, CDC identifying number, microfilm number.

Safeguards: Restrictive use of the terminal; without knowledge of computer access codes, no one can obtain specific patient information. Microfilm is stored in locked cabinet. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Number years held at CDC: 5. How destroyed: Shredded or burned.

System manager(s) and address:

Director
Bureau of Laboratories
Bldg. 1 - Room 1007, CDC
Atlanta, GA 30333
and
Director, Hepatitis Laboratories Division
Room 123
4402 North 7th Street
Phoenix, Ariz 85014

Notification procedure: To determine if a file exists, write the Director, Bureau of Laboratories, Building 1, Room 1007, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, and Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Approved Public Health Laboratories, Federal Medical Facilities, some private physicians.

Systems exempted from certain provisions of the act: None.

09-20-0107

System name: Dengue and Schistosomiasis Research Studies -- HEW/CDC/BL.

Security classification: None.

System location:

San Juan Laboratories
San Juan, Puerto Rico

Categories of individuals covered by the system: Individuals living in Puerto Rico.

Categories of records in the system: Demographic and health behavioral information on individuals in study community.

Authority for maintenance of the system: Public Health Service Act, Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information transferred to Puerto Rico Health Department.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: IBM punch cards and computer listings.

Retrievability: Epidemiological studies for the evaluation of schistosomiasis and dengue control. Special statistical analyses are performed on information. Retrievable by code number.

Safeguards: Under lock and key - only researchers have availability. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Number years held at CDC: 10 years.

System manager(s) and address:

Director
Bureau of Laboratories
Building 1, Room 1007
San Juan Laboratories
San Juan, Puerto Rico

Notification procedure: To determine if a file exists, write the Director, Bureau of Laboratories, Building 1, Room 1007, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notifications and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Directly from participants in the studies.

Systems exempted from certain provisions of the act: None.

09-20-0108

System name: Diagnosis Program for Detection of Chromosomal Abnormalities in High Risk Patients - HEW/CDC/BL.

Security classification: None.

System location:

Bureau of Laboratories Pathology Division
Building 1, Room 2303, CDC
Atlanta, GA 30333
and Regional Federal Records Center

Categories of individuals covered by the system: Referred patients.

Categories of records in the system: Cytogenetic and clinical data.

Authority for maintenance of the system: Public Health Service Act, Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Results referred to patients' physician.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual. Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinet.

Retrievability: To provide cytogenetic services, used as source of training and quality control. Used by BL/Pathology Div. and Bureau of Epidemiology. Records are retrievable alphabetically and by lab number.

Safeguards: Locked cabinets.

Retention and disposal: Number years held at CDC: 5. Number years held at Federal Records Center before disposal: 10. How destroyed: Shredded or burned.

System manager(s) and address:

Director
Bureau of Laboratories
Bldg. 1, Room 1007, CDC
Atlanta, GA. 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Laboratories, Building 1, Room 1007, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Directly from patient's physician.

Systems exempted from certain provisions of the act: None.

09-20-0109

System name: Coronary Drug Project Files - HEW/CDC/BL.

Security classification: None.

System location:

Clinical Chemistry Division
Building 1, Rm. 1225
and Computer Systems Branch
Building 1, Rm. 6066, CDC
Atlanta, GA 30333
and Regional Federal Records System

Categories of individuals covered by the system: Coronary Drug Project Patients.

Categories of records in the system: Clinical Chemistry Test Data From Coronary Drug Project Patients.

Authority for maintenance of the system: Public Health Service Act, Section 301, 412(42 U.S.C. 241, 287a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer magnetic tape, punched cards, and hard copy. Specimen entry cards.

Retrievability: (1) Internal file reviews for verification of test data; (2) quality control studies; (3) statistical analyses of data related to risk, drug treatment, study endpoints, etc. Purposes: research in quality control, improvement of health care, management of heart patients, improvement of clinical laboratory science, and primary study objectives. Users: authorized persons from Center for Disease Control of National Heart and Lung Institute associated with the Coronary Drug Project. Retrieved by numeric identifier and patient's initials.

Safeguards: Only persons trained and experienced in the workings of the Coronary Drug Project system can use the system. Only authorized persons are allowed complete access. All name containing records are in long-term storage at the East Point Records Center. For computerized records, safeguards, established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Number years held at CDC: duration of study. Number years held at Federal Records Center before disposal: 10 (reviewed at 10 yrs.). How destroyed: fire or shredder.

System manager(s) and address:

Director
Bureau of Laboratories
Building 1, Room 1007, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Laboratories, Building 1, Room 1007, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta,

Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: (1) Information from 53 CDP Clinical Centers pertaining to the patient's blood and urine specimens, and (2) laboratory (CDC) generated chemical test data.

Systems exempted from certain provisions of the act: None.

09-20-0110

System name: Clinical Associates Roster - HEW/CDC/BSS.

Security classification: None.

System location:

TB Control Division
Building 1, Room 3013
CDC
Atlanta, Ga. 30333

Categories of individuals covered by the system: Clinical associates.

Categories of records in the system: Academic, professional, and locating data.

Authority for maintenance of the system: Public Health Service Act, Section 301(42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: List is maintained as a source group of tuberculosis experts. Retrievable by name.

Safeguards: Source documents are kept in file cabinets in locked building with security guards during non-business hours. For computerized records, safeguards established in accordance with HEW/ADP System Security Manual, Part 6, are used.

Retention and disposal: Number years held at CDC: 20. How destroyed: Shredded or burned.

System manager(s) and address:

Director
Bureau of State Services
Building 1, Room 2047
CDC
Atlanta, Ga. 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide full name and the nature of the request.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Individuals.

Systems exempted from certain provisions of the act: None.

09-20-0112

System name: CDC Exchange Visitor and Guest Researcher Records - HEW/CDC/OAM.

Security classification: None.

System location:

CDC, Personnel Management Office
Commissioned Corps & Fellow Program Section
Bldg. 1, Room 1042, CDC
Atlanta, GA 30333

Categories of individuals covered by the system:

Visiting Fellows
Visiting Associates
Visiting Scientists
Staff Fellows
Guest Researchers.

Categories of records in the system: Applications, request for appointment, bibliography, curriculum vitae, letters of reference.

Authority for maintenance of the system: Public Health Service Act Section 207(g),(h), 208 and 301 (42 U.S.C. 209(g),(h), 210 and 301).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinet.

Retrievability: This system is utilized by Center officials for the purpose of review of applications and supporting documents in order to award fellowships; and for the determinations regarding salary or stipend increase. The system is accessed by name of the individual, exchange visitor or guest researcher.

Safeguards: Files are kept in locked file room.

Retention and disposal: Number years held at CDC: 2. How destroyed: shredded or burned.

System manager(s) and address:

Director, Personnel Management Office
Commissioned Corps & Fellow Program
Bldg. 1, Room 1042, CDC
Atlanta, GA. 30333

Notification procedure: To determine if a file exists, write the Director, Personnel Management Office, Building 1, Room 1042, Center for Disease Control, Atlanta, Georgia 30333, and provide full name and the nature of the request.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Secured from applicant.

Systems exempted from certain provisions of the act: None.

09-20-0113

System name: Epidemic Investigation Case Records -- HEW/CDC/BE.

Security classification: None.

System location:

Bureau of Epidemiology/CDC
Atlanta, Georgia 30333

Categories of individuals covered by the system: Patients with disease, their contacts, others with possible exposure and appropriate controls.

Categories of records in the system: Medical histories, case reports, line listings, hand sort cards.

Authority for maintenance of the system: Public Health Service Act, Section 301, 361(42 U.S.C. 241, 264).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are considered to be the records of State and/or local health departments and are left with them at the end of the investigations. These health departments may then identify persons with disease and/or others contacted during the investigations to control, prevent, or treat disease, or for follow-up evaluation including collection of appropriate bodily specimens. CDC may or may not request duplicate copies of these records for further analysis following completion of the field investigation. Private physicians may also be supplied pertinent medical information from these records.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Collection of individual case histories, including epidemiological, medical and laboratory information is essential in virtually all epidemic field investigations. These data serve as the basis for all analyses that lead to understanding the etiology of disease occurrence and subsequent prevention and control. Retrievable alphabetically by name.

Safeguards: Information is in files available only to medical epidemiologists, their clerical help, or their specifically designated paramedical personnel and only for duration of the investigation.

Retention and disposal: No. years held at CDC - 2. No. years held at FRC - 5. How destroyed - Burned.

System manager(s) and address:

Director
Bureau of Epidemiology
Bldg 1, Rm 5009, CDC
Atlanta, Georgia 30333
and
Director, Bureau of State Services
Building 1, Room 2047, CDC
Atlanta, Georgia 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Epidemiology, Building 1, Room 5009, or Director, Bureau of State Services, Building 1, Room 2047, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration, (2) name of study, if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7)).

Record source categories: Patients, state and local health departments, and private physicians.

Systems exempted from certain provisions of the act: None.

BILLING CODE 4110-86-M

09-20-0117

System name: Medical and test record results of individuals involved in NIOSH laboratory studies.—HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Biomedical and Behavioral Sciences (DBBS)
National Institute for Occupational Safety and Health (NIOSH)
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Categories of individuals covered by the system: Volunteer subjects from the general population.

Categories of records in the system: Occupational history, medical history, results of medical tests, demographic data, results of psychological and psychometric tests, and data necessary to interpret the medical results.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20 (29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR, Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files, computer cards, computer tapes, computer listings, microfilm.

Retrievability: The purpose of this system is to develop composite data summaries to support the development of criteria for occupational safety and health standards, and to provide other recommendations for improving worker safety and health. Name and case number are the indexes used to retrieve records from this system.

Safeguards:

Evening guard service in building
Locked building; locked rooms
Personnel screening
Locked computer room and computer tape vaults
Locked file cabinets

For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW/ADP Systems Manual.

Retention and disposal: Personal identifiers are destroyed as soon as they are no longer necessary for the protection of the individuals involved. Computer tapes are erased; paper records are shredded or burned.

System manager(s) and address:

Staff Assistant, DBBS NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists, write to:

Director, DBBS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

09-20-0118

System name: Study at work sites where agents suspected of being occupational hazards exist.—HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Biomedical and Behavioral Science (DBBS)
National Institute for Occupational Safety and Health (NIOSH)
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Categories of individuals covered by the system: Subjects employed at specific sites under study.

Categories of records in the system: Occupational history, medical history, results of medical tests, demographic data, employee records, Psychological and psychometric tests, and data necessary to interpret the medical results.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20 (29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR, Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files, computer cards, computer tapes, computer listings, microfilm.

Retrievability: The purpose of this system is to determine the relationship between worker exposure to hazardous agents or stressors, and occupational disease. This information will be used to recommend procedures to reduce the incidence of occupational dis-

case. Name and case number are the indexes used to retrieve records from this system.

Safeguards:

- Evening guard service in building
- Locked building; locked rooms
- Personnel screening
- Locked computer room and computer tape vaults
- Locked file cabinets

For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW/ADP Systems Manual.

Retention and disposal: Personal identifiers are destroyed as soon as the system has stabilized, and statistical summaries can be run. Computer tapes are erased; paper records are shredded or burned.

System manager(s) and address:

Staff Assistant, DBBS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists, write to:

Director, DBBS, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Information is obtained directly from the individual and from employee records.

Systems exempted from certain provisions of the act: None.

09-20-0120

System name: Equipment field test studies - HEW/CDC/NIOSH.

Security classification: None.

System location:

Division of Physical Sciences and Engineering, NIOSH
5555 Ridge Avenue
Cincinnati, Ohio 45213

Division of Biomedical and Behavioral Science, NIOSH
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, Ohio 45226

Categories of individuals covered by the system: Volunteer subjects.

Categories of records in the system: Medical history, results of medical tests, demographic data, individual's description of his experience with the equipment.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20 (29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U. S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her indi-

vidual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files.

Retrievability: The purpose of this study is to determine the suitability of particular pieces of personal protective equipment in the hazards of the workplace. Name and case number are the indexes used to retrieve records from this system.

Safeguards:

- Evening guard service in building
- Locked building; locked rooms
- Personnel screening
- Locked file cabinets

For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW/ADP Systems Manual.

Retention and disposal: All personal identifiers are destroyed at the end of the study (which takes approximately one year). Paper records are shredded or burned.

System manager(s) and address:

Director
National Institute for Occupational Safety and Health
5600 Fishers Lane, Parklawn Bldg., Rm. 8-05
Rockville, Maryland 20857

Notification procedure:

Director
National Institute for Occupational Safety and Health
5600 Fishers Lane, Parklawn Bldg. Rm. 8-05
Rockville, Maryland 20857

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with the Department Regulations (45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

BILLING CODE 4110-87-M

09-20-0136

System name: Epidemiologic Studies and Surveillance of Disease Problems - HEW/CDC/BE

Security classification: None.

System location:

Bureau of Epidemiology
Center for Disease Control
Bldg. 1 - Room 5009
Atlanta, Georgia 30333

Categories of individuals covered by the system: Individuals with reported diseases and other preventable conditions of public health significance; also included are control group participants.

Categories of records in the system: Case reports, line listings, hand sort cards

Authority for maintenance of the system: Public Health Service Act, Sec. 301 (42 U.S.C. 241)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be disclosed to Health Departments and other public health or cooperating medical authorities.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Departmental Regulations (45 CFR, part 5b) Appendix B, Item 100.)

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tapes or file folders, lockable cabinets.

Retrievability: By name of individual identification number.

Safeguards: Personnel screening during working hours; secured building with guard after working hours.

Retention and disposal: Record copy of study reports maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed by program official. Personal identifiers may be deleted from records when no longer needed in the study as determined by the system manager, and as provided in the signed consent form, as appropriate.

System manager(s) and address:

Director, Bureau of Epidemiology
Center for Disease Control
Bldg. 1 - Room 5009
Atlanta, Georgia 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Epidemiology, Building 1, Room 5009, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) approximate date(s) and place of treatment or questionnaire administration; (2) name of study if known; (3) an individual who requests notification of or access to a medical record shall, at the time the request is made, designate a responsible representative in writing who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's incompetent persons record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are requirements of the Department regulations, 45 CFR, Part 5b.6.)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Individuals, private physicians, State and local health departments, and other health providers.

Systems exempted from certain provisions of the act: None.

09-20-0137

System name: Passport file - HEW/CDC/FMO.

Security classification: None.

System location:

Financial Management Office
PFy Building, Room 210, CDC

Categories of individuals covered by the system: CDC employees.

Categories of records in the system: Status of passports.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: To show status of passports of CDC employees who travel to foreign countries on official business. Retrievable by name.

Safeguards: Accessible to Financial Management Office personnel. File is in custody of designated employee.

Retention and disposal: Number years held at CDC: 5. When passports expire or when they are cancelled, they are returned to the employees to whom they pertain. If an employee does not wish to receive the cancelled or expired passport, it is destroyed by shredding.

System manager(s) and address:

Director
Financial Management Office
PFy Building, Room 200, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Financial Management Office, PFy Building, Room 200, Center for Disease Control, Atlanta, Georgia 30333, and provide the following information: (1) full legal name, (2) approximate date(s) and place(s) of travel, and (3) purpose(s) of travel.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: CDC employees.

Systems exempted from certain provisions of the act: None.

09-20-0138

System name: Epidemic Intelligence Service Officers Files - HEW/CDC/BE.

Security classification: None.

System location:

Bureau of Epidemiology
OD, Bldg. 1, Rm. 5014 (1967 to present), CDC
Atlanta, GA 30333
and Regional Federal Records Center (1954-1966)

Categories of individuals covered by the system: EIS Officers - Current, alumni & rejected applicants.

Categories of records in the system: Applications, interview materials, letters of recommendations, call to duty papers.

Authority for maintenance of the system: Public Health Service Act Sections 203, 207 (42 U.S.C. 204 and 209).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it

deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets & records center

Retrievability: Used by Bureau personnel to write letters of recommendation for future employment; reference letters, and maintaining professional contact with these individuals. Retrievable by name.

Safeguards: Locked door.

Retention and disposal: Number years held at CDC: 10. Number years held at Federal Records Center before disposal: 10. How destroyed: shredding.

System manager(s) and address:

Director
Bureau of Epidemiology
Bldg. 1, Rm. 5009, CDC
Atlanta, GA 30333

Notification procedure: To determine if a file exists, write the Director, Bureau of Epidemiology, Building 1, Room 5009, Center for Disease Control, Atlanta, Georgia 30333, and provide full name and the nature of the request.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Part 5b.5(a)(2)).

Contesting record procedures: Write the Privacy Act Coordinator, Management Analysis Office, Center for Disease Control, Atlanta, Georgia 30333. Reasonably identify the record and specify the information to be contested. This procedure is in accordance with Department Regulations, (45 CFR, Part 5b.7).

Record source categories: Educational institutions, previous employers.

Systems exempted from certain provisions of the act: None. procedures are requirements of the Department Regulations, 45 CFR, Part 5b.6.)

Billing Code 4110-86-M

09-20-0147

System name: DSHEFS Occupational Health Epidemiological Studies, HEW/CDC/NIOSH

Security classification: None

System location:

Division of Surveillance, Hazard Evaluation, and Field Studies (DSHEFS), National Institute for Occupational Safety and Health (NIOSH)
4676 Columbia Parkway
Cincinnati, Ohio 45226

Federal Records Center,
Dayton, Ohio

Southwest Ohio Regional Computer Center
Medical Sciences Building
University of Cincinnati
Cincinnati, Ohio 45202

In addition, data is occasionally at field work sites and contractor sites as studies are developed, data collected and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Industrial workers exposed to physical and/or chemical agents that may damage the human body in any way. Some examples are: 1) organic carcinogens, 2) inorganic carcinogens, 3) mucosal or dermal irritants, 4) fibrogenic materials, 5) acute toxic agents including sensitizing agents, 6) neurotoxic agents, 7) mutagenic (male and female) and teratogenic agents, 8) bio-accumulating noncarcinogen agents, and 9) chronic vascular disease causing agents.

Categories of records in the system: Physical exams, sputum cytology results, questionnaires, demographic information, smoking history, occupational histories, previous and current employment records, urine test records, X-rays, medical history, pulmonary function test records, medical disability forms, blood test records, drivers license data, hearing test results, spirometry results. The specific types of records to be collected and maintained are determined by the needs of the individual study.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241); Occupational Safety and Health Act Section 20 (29 U.S.C. 669); Coal Mine Health and Safety Act Section 501 (30 U.S.C. 951).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more other sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, State or local agency. Cause of death will enable NIOSH to evaluate whether excess occupationally related mortality is occurring.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files, computer files, card files, microfilm, microfiche, and other files as appropriate.

Retrievability: The purpose of these studies is to evaluate mortality and morbidity of occupationally-related diseases: to determine the cause and prevention of diseases of industrial origin, and lead toward future prevention of occupationally-related diseases. Name, assigned number, plant name, year tested are some of the indices used to retrieve records from these systems. Other retrieval methods are utilized as individual research dictates.

Safeguards: Locked buildings, locked rooms, locked file cabinets, personnel screening, locked computer room and computer tape vaults, 24 hour guard service, password protection of computerized records, limited access to only authorized personnel. For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HEW/ADP Systems Manual. Two or more of the safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by an individual study. Departmental security guidelines will be followed.

Retention and disposal: Records will be maintained from three to twenty years in accordance with retention schedules. Every attempt will be made to strip personal identifiers from records and destroy the records when they are no longer needed. Any paper records which are disposed of will be shredded or burned and computer tapes will be erased.

System manager(s) and address:

Program Management Officer (PMO), DSHEFS
F-1, 4676 Columbia Parkway
Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists write to:

Director, DSHEFS
F-1, 4676 Columbia Parkway
Cincinnati, Ohio 45226.

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Vital status information is obtained from Federal, State and local Governments and other available sources selected from those listed in Appendix I. Information is obtained directly from the individual and employer records, whenever possible.

Systems exempted from certain provisions of the act: None

APPENDIX I Potential Sources for Determination of Vital Status

Military Records

Appropriate State Motor Vehicle Registration Departments

Appropriate State Drivers License Departments

Appropriate State Government Divisions of:

Assistance Payments (Welfare), Social Services, Medical Services,

Food Stamp Program, Child Support, Board of Corrections, Aging,

Indian Affairs, Workman's Compensation, Disability Insurance

Retail Credit Association Follow up

Veteran's Administration Files

Appropriate employee union or association records

Appropriate company pension or employment records

Company group insurance records

Appropriate State Vital Statistics Offices

Life Insurance Companies

Railroad Retirement Board

Area Nursing Homes

Area Indian Trading Posts

Mailing List Correction Cards (U.S. Postal Service)

Letters and telephone conversations with relatives

Letters and telephone conversations with former employees of the same establishment as cohort member

Appropriate local newspaper (obituaries)

Social Security Administration

Internal Revenue Service

09-20-0148

System name: Results of DBBS Hearing Studies, HEW/CDC/NIOSH

Security classification: None

System location:

Division of Biomedical and Behavioral Science (DBBS)

National Institute for Occupational Safety and Health (NIOSH)

Robert A. Taft Laboratories

4676 Columbia Parkway

Cincinnati, Ohio 45226

In addition, data is occasionally at field work sites and contractor sites as studies are developed, data collected and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request from the Systems Manager.

Categories of individuals covered by the system: Workers exposed to noise at a harmful or potentially hazardous level and individuals selected as control groups.

Categories of records in the system: Physical examinations, results of laboratory tests (physiological, acceleration measures, performance tests); results of hearing tests, hearing acuity tests, occupational histories, medical history, demographic data, related anamnestic information. The specific types of records to be collected and maintained are determined by the needs of the individual study.

Authority for maintenance of the system: Occupational Safety and Health Act, Section 20 (29 U.S.C. 669); Federal Coal Mine Safety and Health Act (30 U.S.C. 669 Section 20)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the

Public Health Service in connection with such individual. (Appendix B, Department Regulations, 45 CFR Part 5b, Item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department Employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files, computer tape, microfilm, computer cards, index audiogram files, audiogram questionnaire forms.

Retrievability: The purpose of this system is to assist in the development of standards for occupational exposure to hazards. Name, case number and study number are the indices used to retrieve records from this system.

Safeguards: 24 hour guard service in buildings, locked buildings, personnel screening, access limited to authorized personnel. In most instances information is related to individual identifiers by case numbers. The file of individual case number relationships is available to a limited group of people. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained from three to ten years in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form as appropriate. Disposal methods include erasing computer tapes and burning or shredding printouts.

System manager(s) and address:

Industrial Hygiene Engineer

Noise Section, Physical Agents Effects Branch

DBBS, NIOSH

4676 Columbia Parkway

Cincinnati, Ohio 45226

Notification procedure: To determine if a record exists write to:

Director, DBBS, NIOSH

4676 Columbia Parkway

Robert A. Taft Laboratories

Cincinnati, Ohio 45226

An individual who requests notification of or access to medical records shall, (1) at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion, (2) supply the name of the study if known, (3) provide the approximate date and place of treatment or questionnaire administration. (These notification and access procedures are in accordance with Department Regulations 45 CFR, Section 5b.6).

Record access procedures: (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above. (These procedures are in accordance with Department Regulations 45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual, and employee records. Many of the hearing test results were obtained from Doctors Memorial Hospital Hearing and Speech Center, Atlanta, Ga.

Systems exempted from certain provisions of the act: None

09-20-0149

System name: DRDS General Industry Morbidity Studies, HEW/CDC/NIOSH

Security classification: None

System location:

Division of Respiratory Disease Studies (DRDS)

National Institute for Occupational Safety and Health (NIOSH)

Morgantown, West Virginia 26505

In addition, data is occasionally at field collection sites and contractor sites as studies are developed, data collected, and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Persons working, or having worked at workplaces not identified as surface mining or below ground mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population which have been selected as a control group.

Categories of records in the system: Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records to be collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20 (29 U.S.C. 669); Federal Coal Mine Health and Safety Act, Section 501 (30 U.S.C. 951).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards, and printouts; microfiche; X-rays; and manual files.

Retrievability: The purpose of this system is to investigate occupationally related diseases and to determine the cause and prevention of such diseases. Plant name, study, name, and/or assigned numerical identifiers are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis, may occasionally be used for data retrieval.

Safeguards: 24 hour guard service in buildings, locked buildings, locked rooms, personnel screening, locked computer rooms, and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by each individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include burning or shredding paper materials, and erasing computer tapes.

System manager(s) and address:

Program Management Officer (PMO)
DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director
DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, (1) at the time the request is made, designate in writing a responsible representative who will be willing to review the record

and inform the subject individual of its contents at the representative's discretion, (2) provide the name of the study if known, (3) provide the approximate date and place of treatment or questionnaire administration. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual and from employee records.

Systems exempted from certain provisions of the act: None

09-20-0150

System name: DRDS Morbidity Studies in Coal Mining Activities, HEW/CDC/NIOSH

Security classification: None

System location:

Division of Respiratory Disease Studies (DRDS)
National Institute for Occupational Safety and Health (NIOSH)
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Data is also occasionally located at field collection sites and contractor sites, as studies are developed, data collected, and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Persons working or having worked at coal mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population which have been selected as a control group.

Categories of records in the system: Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data, spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records to be collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system: Coal Mine Health and Safety Act Section 501 (30 U.S.C. 951); Section 203 (30 U.S.C. 843); Occupational Safety and Health Act Section 20 (29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, 45 CFR Part 5b, item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) The United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Some data is sent to the Mining Enforcement and Safety Administration, Department of the Interior to report incidence of pneumoconiosis.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards, and printouts; microfiche; X-rays, and manual files.

Retrievability: The purpose of this system is to investigate occupationally-related diseases and to determine the cause and prevention of

such diseases. Plant name, study, name, and/or assigned numerical identifiers are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis, may occasionally be used for data retrieval.

Safeguards: 24 hour guard service in buildings, locked buildings, locked rooms, personnel screening, locked computer room and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by each individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include burning or shredding paper materials, and erasing computer tapes.

System manager(s) and address:

Program Management Officer (PMO)
DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director
DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, (1) designate in writing a responsible representative who will be willing to review the records and inform the subject individual of its contents at the representative's discretion, (2) name the study, if known, (3) name the industrial plants, location of the plant, and approximate date of treatment or questionnaire administration, if known. Notification procedures for medical records are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual and from employee records.

Systems exempted from certain provisions of the act: None

09-20-0151

System name: DRDS Mortality Studies in Coal Mining Activities, HEW/CDC/NIOSH

Security classification: None

System location:

Division of Respiratory Disease Studies (DRDS)
National Institute for Occupational Safety and Health (NIOSH)
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Data is also occasionally located at field collection sites and contractor sites as studies are developed, data collected, and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Persons working, or having worked at coal mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population which have been selected as a control group.

Categories of records in the system: Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records to be collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system: Public Health Service Act, Section 301 (42 U.S.C. 241). Coal Mine Health and Safety Act, Section 501 (30 U.S.C. 951).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, 45 CFR Part 5b, item 100).

Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more other sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, State, or local agency. Cause of death will enable NIOSH to evaluate whether excess occupationally-related mortality is occurring.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards, and printouts; microfiche; X-rays; and manual files.

Retrievability: The purpose of this system is to investigate occupationally-related diseases and to determine the cause and prevention of such diseases. Plant name, study, name, and/or assigned numerical identifiers are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis may occasionally be used for data retrieval.

Safeguards: Locked buildings, locked rooms, 24 hour guard service, locked file cabinets, locked computer rooms and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by an individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Program Management Officer (PMO)
DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director, DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, (1) designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion, (2) provide the name of the study if known, (3) provide the approximate date and place of treatment or questionnaire administration. (These notification and access procedures are in accordance with Department Regulations 45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations 45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual and from death certificates.

Systems exempted from certain provisions of the act: None

APPENDIX I Potential Sources for Determination of Vital Status

Military Records

Appropriate State Motor Vehicle Registration Departments

Appropriate State Drivers License Departments

Appropriate State Government Divisions of:

Assistance Payments (Welfare); Social Services, Medical Services,

Food Stamp Program, Child Support, Board of Corrections, Aging,

Indian Affairs, Workman's Compensation, Disability Insurance

Retail Credit Association Follow up

Veteran's Administration Files

Appropriate employee union or association records

Appropriate company pension or employment records

Company group insurance records

Appropriate State Vital Statistics Offices

Life Insurance Companies

Railroad Retirement Board

Area Nursing Homes

Area Indian Trading Posts

Mailing List Correction Cards (U.S. Postal Service)

Letters and telephone conversations with relatives

Letters and telephone conversations with former employees of the same establishment as cohort member

Appropriate local newspaper (obituaries)

Social Security Administration

Internal Revenue Service

09-20-0152

System name: DRDS Mortality Studies in Non-Coal Mining Activities; HEW/CDC/NIOSH

Security classification: None

System location:

Division of Respiratory Disease Studies (DRDS)

National Institute for Occupational Safety and Health (NIOSH)

944 Chestnut Ridge Road

Morgantown, West Virginia 26505

Data is also occasionally located at field collection sites and contractor sites as studies are developed, data collected, and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Persons working, or having worked at mining operations other than coal operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population which have been selected as a control group.

Categories of records in the system: Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records to be collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system: Public Health Service Act Section 301(42 U.S.C. 241); Federal Metal and Nonmetallic Mine Safety Act Section 4(30 U.S.C. 723); Occupational Safety and Health Act Section 20 (29 U.S.C. 669).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical

condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, 45 CFR Part 5b, item 100).

Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more other sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, State, or local agency. Cause of death will enable NIOSH to evaluate whether excess occupationally-related mortality is occurring.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards and printouts; microfiche; X-rays; and manual files.

Retrievability: The purpose of this system is to investigate occupationally-related diseases and to determine the cause and prevention of such diseases. Plant name, study, name, and/or assigned numerical identifiers are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis may occasionally be used for data retrieval.

Safeguards: 24 hour guard service in buildings, locked buildings, locked rooms, personnel screening, locked computer rooms and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by each individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form as appropriate. Disposal methods include erasing computer tapes and burning or shredding paper materials.

System manager(s) and address:

Program Management Officer (PMO)

DRDS, NIOSH

944 Chestnut Ridge Road

Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director

DRDS, NIOSH

944 Chestnut Ridge Road

Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations 45 CFR, Section 5b.7).

Record source categories: Information is obtained from the individual, company personnel records, from death certificates, and from industry and union records.

Systems exempted from certain provisions of the act: None.

APPENDIX I Potential Sources for Determination of Vital Status

Military Records
 Appropriate State Motor Vehicle Registration Departments
 Appropriate State Drivers License Departments
 Appropriate State Government Divisions of:
 Assistance Payments (Welfare), Social Services, Medical Services,
 Food Stamp Program, Child Support, Board of Corrections, Aging,
 Indian Affairs, Workman's Compensation, Disability Insurance
 Retail Credit Association Follow up
 Veteran's Administration Files
 Appropriate employee union or association records
 Appropriate company pension or employment records
 Company group insurance records
 Appropriate State Vital Statistics Offices
 Life Insurance Companies
 Railroad Retirement Board
 Area Nursing Homes
 Area Indian Trading Posts
 Mailing List Correction Cards (U.S. Postal Service)
 Letters and telephone conversations with relatives
 Letters and telephone conversation with former employees of the same establishment as cohort member
 Appropriate local newspaper (obituaries)
 Social Security Administration
 Internal Revenue Service

09-20-0153

System name: DRDS General Industry Mortality Studies, HEW/CDC/NIOSH

Security classification: None.

System location:

Division of Respiratory Disease Studies (DRDS)
 National Institute for Occupational Safety and Health (NIOSH)
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

Data is also occasionally located at field collection sites and contractor sites as studies are developed, data collected, and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Persons working, or having worked at workplaces not identified as surface mining or below ground mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population which have been selected as a control group.

Categories of records in the system: Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records to be collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20 (29 U.S.C. 669); Public Health Service Act; Section 301 (42 U.S.C. 141).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

Portions of records (name, social security number if known, date of birth, and last known address) may be disclosed to one or more other sources selected from those listed in Appendix I, as applicable. This may be done solely for obtaining a determination as to whether or not an individual has died. The purpose of determining death is so that NIOSH may obtain death certificates, which state the cause of death, from the appropriate Federal, State, or local agency. Cause of death will enable NIOSH to evaluate whether excess occupationally-related mortality is occurring.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards, and printouts; microfiche; X-rays; and manual files.

Retrievability: The purpose of this system is to investigate occupationally-related diseases and to determine the cause and prevention of such diseases. Plant name, study, name, and/or assigned numerical identifiers are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis may occasionally be used for data retrieval.

Safeguards: 24 hour guard service in buildings, locked buildings, locked rooms, personnel screening, locked computer room and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by such individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, and as provided in the signed consent form, as appropriate. Disposal methods include burning or shredding paper materials and erasing computer tapes.

System manager(s) and address:

Program Management Officer (PMO)
 DRDS, NIOSH
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director, DRDS, NIOSH
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, (1) at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion, (2) provide the name of the study if known, (3) provide the approximate date and place of the treatment or questionnaire administration. These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. (These access procedures are in accordance with Department Regulations 45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual, from employee records, from death certificates, and from industry and trade union records.

Systems exempted from certain provisions of the act: None.

APPENDIX I Potential Sources for Determination of Vital Status

Military Records
 Appropriate State Motor Vehicle Registration Departments
 Appropriate State Drivers License Departments
 Appropriate State Government Divisions of:
 Assistance Payments (Welfare), Social Services, Medical Services,
 Food Stamp Program, Child Support, Board of Corrections, Aging,
 Indian Affairs, Workman's Compensation, Disability Insurance
 Retail Credit Association Follow up
 Veteran's Administration Files

Appropriate employee union or association records
 Appropriate company pension or employment records
 Company group insurance records
 Appropriate State Vital Statistics Offices
 Life Insurance Companies
 Railroad Retirement Board
 Area Nursing Homes
 Area Indian Trading Posts
 Mailing List Correction Cards (U.S. Postal Service)
 Letters and telephone conversations with relatives
 Letters and telephone conversations with former employees of the same establishment as cohort member
 Appropriate local newspaper (obituaries)
 Social Security Administration
 Internal Revenue Service

09-20-0154

System name: DRDS Medical and Laboratory Studies, HEW/CDC/NIOSH

Security classification: None.

System location:

Division of Respiratory Disease Studies (DRDS)
 National Institute for Occupational Safety and Health (NIOSH)
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

Categories of individuals covered by the system: Individuals who have had physical examinations at DRDS or who have had biochemical tests done on various samples submitted to DRDS.

Categories of records in the system: Analysis of biochemical data, occupational and medical histories, and results of medical tests. The specific types of records to be collected and maintained are determined by the needs of the individual study.

Authority for maintenance of the system: Coal Mine Health and Safety Act Section 501 (30 U.S.C. 951), Occupational Safety and Health Act Section 20 (29 U.S.C. 669), Occupational Safety and Health Act Section 22(d) (29 U.S.C. 671(d)); Federal Coal Mine Health and Safety Act Section 427(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards, and printouts; microfiche; X-rays; and manual files.

Retrievability: The purpose of this system is to perform medical and epidemiological research, statistical analyses, and to identify early indicators of occupationally-related diseases (biochemical indices). Data is given to other NIOSH units for biochemical and epidemiological studies. Name and case number are the indices used to retrieve records from this system.

Safeguards: 24 hour guard service in buildings, locked buildings, locked rooms, personnel screening, locked computer room and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records

covered by such individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, as determined by the system manager, as provided in the signed consent form as appropriate. Disposal methods include erasing computer tapes and burning or shredding paper materials.

System manager(s) and address:

Project Management Officer
 DRDS, NIOSH
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director, DRDS, NIOSH
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Information is obtained directly from the individual.

Systems exempted from certain provisions of the act: None.

09-20-0155

System name: DRDS Morbidity Studies in Metal and Non-Metal Mining Activities, HEW/CDC/NIOSH

Security classification: None

System location:

Division of Respiratory Disease Studies (DRDS)
 National Institute For Occupational Safety and Health (NIOSH)
 944 Chestnut Ridge Road
 Morgantown, West Virginia 26505

Data is also occasionally located at field collection sites and contractor sites as studies are developed, data collected, and reports written. A list of field and contractor sites where individually identifiable data is currently located is available upon request to the System Manager.

Categories of individuals covered by the system: Persons working, or having worked at mining operations other than coal mining operations and exposed or potentially exposed to substances which are known or suspected respiratory irritants or carcinogens. Also included are those individuals in the general population which have been selected as a control group.

Categories of records in the system: Previous and current employment records, medical and occupational histories, demographic data, X-rays, smoking histories, results of medical tests such as pulmonary function data and spirometry test results, permission forms, industrial environmental data, and questionnaires. The specific types of records to be collected and maintained are determined by the research needs of the specific study.

Authority for maintenance of the system: Occupational Safety and Health Act Section 20 (29 U.S.C. 669); Public Health Service Act Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data may be sent to State Vital Statistics Divisions to obtain death certificates, and to Missing Person Location Agencies to find those individuals who cannot otherwise be located.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be released to the Department of Justice or other appropriate Federal Agencies in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the

Public Health Service in connection with such individual. (Appendix B, Department Regulations, (45 CFR, Part 5b), item 100).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tape, cards, and printouts; microfiche; X-rays; and manual files.

Retrievability: The purpose of this system is to investigate occupationally related diseases and to determine the cause and prevention of such diseases. Plant name, study, name, and/or assigned numerical identifiers are some of the indices used to retrieve records from this system. Social security numbers, supplied on a voluntary basis, may occasionally be used for data retrieval.

Safeguards: 24 hour guard service in buildings, locked buildings, locked rooms, personnel screening, locked computer room and tape vaults, password protection of computerized records, limited access to only authorized personnel. Two or more of these safeguards are used for all records covered by this system notice. The particular safeguards used are selected as appropriate for the type of records covered by such individual study. Departmental security guidelines will be followed.

Retention and disposal: Record copy maintained in accordance with retention schedules. Source documents for computer disposed of when no longer needed in the study, and as determined by the system manager, as provided in the signed consent form as appropriate. Disposal methods include erasing computer tapes and burning or shredding paper material.

System manager(s) and address:

Program Management Officer
DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

Notification procedure: To determine if a record exists write to:

Director, DRDS, NIOSH
944 Chestnut Ridge Road
Morgantown, West Virginia 26505

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Vital status information is obtained from Federal, State and local Governments and other available sources. Information is obtained from the individual and from employer records.

Systems exempted from certain provisions of the act: None.

Billing Code 4110-87-M

09-15-0001

System name: Division of Federal Employee Occupational Health, Employee Health Records HEW/HSA/BMS.

Security classification: None.

System location: See Appendix and Regional Federal Records Center.

Categories of individuals covered by the system: Federal employees enrolled in PHS/DFEOH Health Units.

Categories of records in the system: Health records.

Authority for maintenance of the system: 5 USC 7901, 5 USC 8101, OMB Circular No. A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Certain records may be disclosed to medical laboratories, medical consultants, or computer processing firms under a service contract agreement.

In the event of a change in sponsorship of a PHS/DFEOH health care unit or in a case of mass transfer of employees covered by a PHS/DFEOH health care unit to one served by a non-departmental organization, the health records will be transferred to the custodianship of the new organization.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to the U. S. Department of Labor, Office of Worker's Compensation Program, of those files of persons claiming compensation benefits due to personal injury while on the job.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders.

Retrievability: Purpose: employees are provided occupational health services (on a voluntary basis). The data resulting from these services are included in the employee health records. Users: physicians, nurses, other health professionals. Retrievability: alphabetically by last name.

Safeguards: Stored in locked cabinets; access limited to authorized personnel.

Retention and disposal: Number of years held at HSA - Period of service or 6 years if inactive. How destroyed: shredded and disposed if inactive more than 6 years.

System manager(s) and address:

Director, Division of Federal Employee Occupational Health
FOB #3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Write to the official at the appropriate address specified in the appendix. Individuals must provide treatment location. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).

Record access procedures: See appendix for appropriate address. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)).

Contesting record procedures: Write to the official at the appropriate address specified in the appendix, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Data resulting from the clinical and preventive services offered by the PHS/DFEOH Health Unit and data obtained from individual.

Systems exempted from certain provisions of the act: None.

Appendix Location and Access

Washington, D.C. area
Medical Officer in Charge

PHS/DFEOH Health Unit
Department of Energy
Room A-075
Germantown, Maryland 20767

Nurse in Charge
PHS/DFEOH Health Unit
Brown Building, Room 559
1200 - 19th Street, NW
Washington, D.C. 20036

Medical Officer in Charge
PHS/DFEOH Health Unit
Bureau of Engraving & Printing
Room 320
14th and C Streets, SW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEOH Health Unit
Capitol Mall North Building
Room 325
500 N. Capitol Street, NW
Washington, D.C. 20549

Nurse in Charge
PHS/DFEOH Health Unit
Columbia Plaza Bldg., Rm. 4061
2401 E Street, NW
Washington, D.C. 20506

Nurse in Charge
PHS/DFEOH Health Unit
E Street Building, Rm. 908
1201 E Street, NW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Bldg. #6, Rm. A-039
400 Maryland Avenue, SW
Washington, D.C. 20202

Nurse in Charge
PHS/DFEOH Health Unit
FOB #7, New Executive Office Bldg.
Room 6101
726 Jackson Place, NW
Washington, D.C. 20503

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Bldg. #8, Room 1010
200 C Street, SW
Washington, D.C. 20204

Nurse in Charge
PHS/DFEOH Health Unit
Franconia Warehouse, Bldg. A
Federal Supply Service, GSA
Springfield, Virginia 22150

Nurse in Charge
PHS/DFEOH Health Unit
Franklin Square North Building
Room 824
1325 K Street, NW
Washington, D.C. 20225

Medical Officer in Charge
PHS/DFEOH Health Unit
General Accounting Office Building
Room 1455
441 G Street, NW
Washington, D.C. 20548

Nurse in Charge
PHS/DFEOH Health Unit
GSA Main Building, Rm. 1008
18th and F Streets, NW
Washington, D.C. 20405

Nurse in Charge
PHS/DFEOH Health Unit
GSA Region III Building, Rm. 4114
7th and D Streets, SW
Washington, D.C. 20407

Medical Officer in Charge
PHS/DFEOH Health Unit
HEW-North Building, Rm. 1165-A
4th Street & Independence Avenue, SW
Washington, D.C. 20201

Medical Officer in Charge
PHS/DFEOH Health Unit
HEW-Switzer Bldg., Rm. 3050
4th and C Streets, SW
Washington, D.C. 20201

Medical Officer in Charge
PHS/DFEOH Health Unit
Dept. of Housing & Urban Development
Room 7239
7th and D Streets, SW
Washington, D.C. 20410

Nurse in Charge
PHS/DFEOH Health Unit
Hubert H. Humphrey Bldg.
Room G-215
200 Independence Ave., S.W.
Washington, D.C. 20201

Nurse in Charge
PHS/DFEOH Health Unit
Imperial Building, Room 202
1441 L Street, NW
Washington, D.C. 20416

Medical Officer in Charge
PHS/DFEOH Health Unit
Internal Revenue Service Bldg.
Room 1302
12th and Constitution Avenue, NW
Washington, D.C. 20224

Nurse in Charge
PHS/DFEOH Health Unit
Justice Department Main Bldg.
Room 1410
10th and Constitution Avenue, NW
Washington, D.C. 20530

Nurse in Charge
PHS/DFEOH Health Unit
U.S. Customs Service Bldg., Rm. 5126
1301 Constitution Ave., N.W.
Washington, D.C. 20229

Nurse in Charge
PHS/DFEOH Health Unit
Lafayette Bldg., Room 369
811 Vermont Ave., N.W.
Washington, D.C. 20571

Nurse in Charge
PHS/DFEOH Health Unit
Liberty Loan Building, Room 546
(Check Claims Division)
401 - 14th Street, SW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEOH Health Unit
"M" Street #2 Building (F.C.C.)
Room 529
1919 "M" Street, NW
Washington, D.C. 20554

Nurse in Charge
PHS/DFEOH Health Unit
"M" Street Building
Room 2121

2000 "M" Street, NW
Washington, D.C. 20461

Nurse in Charge
PHS/DFEOH Health Unit
Maiatico Building, Room 1220
806 Connecticut Avenue, NW
Washington, D.C. 20525

Nurse in Charge
PHS/DFEOH Health Unit
Matomic Building (USIA)
Room 433
1717 H Street, NW
Washington, D.C. 20547

Nurse in Charge
PHS/DFEOH Health Unit
National Archives & Records Service
Room G-2
8th and Pennsylvania Avenue, NW
Washington, D.C. 20408

Nurse in Charge
PHS/DFEOH Health Unit
National Labor Relations Board Bldg.
Room 360
1717 Pennsylvania Avenue, NW
Washington, D.C. 20570

Nurse in Charge
PHS/DFEOH Health Unit
National Technical Information Service
Room 1225
5285 Port Royal Road
Springfield, Virginia 22161

Nurse in Charge
PHS/DFEOH Health Unit
Northwestern Federal Bldg., Rm. 700
1405 "I" Street, NW
Washington, D.C. 20537

Nurse in Charge
PHS/DFEOH Health Unit
One McPherson Square Bldg., Rm. 1040
1425 K Street, NW
Washington, D.C. 20524

Medical Officer in Charge
PHS/DFEOH Health Unit
Parklawn Building, Room 5B-16
5600 Fishers Lane
Rockville, Maryland 20857

Nurse in Charge
PHS/DFEOH Health Unit
Patrick Henry Bldg., Room 5509
601 D Street, NW
Washington, D.C. 20213

Medical Officer in Charge
PHS/DFEOH Health Unit
Phillips Building, Room P-132
7920 Norfolk Avenue
Bethesda, Maryland 20555

Nurse in Charge
PHS/DFEOH Health Unit
Public Debt Bldg., Room 709
13th and C Streets, SW
Washington, D.C. 20226

Nurse in Charge
PHS/DFEOH Health Unit
Pulaski Bldg., Rm 1213C
20 Massachusetts Ave., N.W.
Washington, D.C. 20545
Nurse in Charge
PHS/DFEOH Health Unit
Thomas Circle - South Building
Room 605

1121 Vermont Avenue, NW
Washington, D.C. 20425

Nurse in Charge
PHS/DFEOH Health Unit
Todd Building, Room 803
550 - 11th Street, NW
Washington, D.C. 20530

Nurse in Charge
PHS/DFEOH Health Unit
Treasury Dept. - Main Building
Room 1445
15th and Pennsylvania Avenue, NW
Washington, D.C. 20220

Nurse in Charge
PHS/DFEOH Health Unit
Twinpark Building #1, Suite 108
12720 Twinbrook Parkway
Rockville, Maryland 20852

Nurse in Charge
PHS/DFEOH Health Unit
Union Center Plaza, Room 3101
825 North Capitol Street, NE
Washington, D.C. 20426

Nurse in Charge
PHS/DFEOH Health Unit
Universal Building North
Room 540 (CAB Mail Room)
1875 Connecticut Avenue, NW
Washington, D.C. 20428

Nurse in Charge
PHS/DFEOH Health Unit
U.S. Court of Claims
Room 1B-26
717 Madison Place, N.W.
Washington, D.C. 20005

Nurse in Charge
PHS/DFEOH Health Unit
U.S. Tax Court Bldg., Room G-64
400 Second Street, NW
Washington, D.C. 20217

Nurse in Charge
PHS/DFEOH Health Unit
Washington National Records Center
Room 126
Washington, D.C. 20409

Nurse in Charge
PHS/DFEOH Health Unit
U. S. Geological Survey National Center
Room 1B-418
12201 Sunrise Valley Drive
Reston Virginia 22092

Nurse in Charge
PHS/DFEOH Health Unit
Veterans Administration Central Office
Room 177
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Nurse in Charge
PHS/DFEOH Health Unit
Richmond Federal Building
Room 1210
400 North Eight Street
Richmond, Virginia 23240

Nurse in Charge
PHS/DFEOH Health Unit
Federal Center Building #2
Room 1-17
3700 East-West Highway
W. Hyattsville, Maryland 20782

Nurse in Charge
PHS/DFEOH Health Unit
Federal Trade Commission Building
Room 105
6th and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Nurse in Charge
PHS/DFEOH Health Unit
Federal Depot
Basement
2800 Eastern Avenue
Middle River, Maryland 21220

Nurse in Charge
PHS/DFEOH Health Unit
Union Center Plaza North Building
Room 6302
941 North Capitol Street, N.E.
Washington, D.C. 20421

Alaska

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building
Room 282, Box 378
709 West 9th Street
Juneau, Alaska 99802

Arizona

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building - Room 3400
230 North 1st Avenue
Phoenix, Arizona 85003

Arkansas

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 2122
700 West Capitol
Little Rock, Arkansas 72201

California

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building and Courthouse
Room 2304
1130 O Street
Fresno, California 93721

Medical Officer in Charge
PHS/DFEOH Health Unit
New Federal Building, Room 5008
300 N. Los Angeles Street
Los Angeles, California 90012

Medical Officer in Charge
PHS/DFEOH Health Unit
U.S. Courthouse, Room 1005
312 N. Spring Street
Los Angeles, California 90012

Nurse in Charge
PHS/DFEOH Health Unit
U.S. Courthouse and Federal Bldg.
Room 6515
650 Capitol Mall
Sacramento, California 95814

Nurse in Charge
PHS/DFEOH Health Unit
FOB-Cottage Way, Room E-1720
2800 Cottage Way
Sacramento, California 95825

Nurse in Charge
PHS/DFEOH Health Unit

Federal Bldg. & Courthouse
Room SB6
880 Front Street
San Diego, California 92188

Medical Officer in Charge
PHS/DFEOH Health Unit
New Federal Building
Room 5210, Box 36115
450 Golden Gate Avenue
San Francisco, California 94102

Nurse in Charge
PHS/DFEOH Health Unit
Tishman Building, 32nd Floor
525 Market Street
San Francisco, California 94105

Nurse in Charge
PHS/DFEOH Health Unit
Appraisers Stores Building
Room 1123
630 Sansome Street
San Francisco, California 94111

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 40
50 United Nations Plaza
San Francisco, California 94102

Nurse in Charge
PHS/DFEOH Health Unit
Folger Building, Room 211
211 Main Street
San Francisco, California 94105

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & Custom House
Room 1519
300 South Ferry Street
Terminal Island
San Pedro, California 90731

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building - Room 619
34 Civic Center Plaza
Santa Ana, California 92701

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building - Room 2N4
6230 Van Nuys Boulevard
Van Nuys, California 91408

Colorado

Medical Officer in Charge
PHS/DFEOH Health Unit
Denver Federal Center
Building #40
Denver, Colorado 80225

Medical Officer in Charge
PHS/DFEOH Health Unit
Denver Federal Center
Building #25
Denver, Colorado 80225

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & U.S. Courthous
Room 8028
1961 Stout Street
Denver, Colorado 80294

Connecticut

Nurse in Charge
PHS/DFEOH Health Unit

Federal Building and U.S. Courthouse
Room G-1
450 Main Street
Hartford, Connecticut 06103

Delaware
Nurse in Charge
PHS/DFEOH Health Unit
Federal Building, Rm G-105
844 King Street
Wilmington, Delaware 19801

Florida

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 1310
51 S.W. First Avenue
Miami, Florida 33130

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building and U.S. Courthouse - Room 459
80 N. Hughey Avenue
Orlando, Florida 32801

Georgia

Nurse in Charge
PHS/DFEOH Health Unit
P.O. Box 5677, Room B-36
College Station Road
Athens, Georgia 30604
Medical Officer in Charge
PHS/DFEOH Health Unit
Room 2311
101 Marietta Tower
Atlanta, Georgia 30303

Nurse in Charge
PHS/DFEOH Health Unit
Room 535
730 Peachtree Street, N.E.
Atlanta, Georgia 30308

Nurse in Charge
PHS/DFEOH Health Unit
Room 218
1371 Peachtree Street, NE
Atlanta, Georgia 30309

Nurse in Charge
PHS/DFEOH Health Unit
Room 910
1720 Peachtree Road, NW
Atlanta, Georgia 30309

Nurse in Charge
PHS/DFEOH Health Unit
Room 155
1776 Peachtree Street, NW
Atlanta, Georgia 30309

Nurse in Charge
PHS/DFEOH Health Unit
DCASR - Room 211
805 Walker Street
Marietta, Georgia 30060

Idaho

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & Courthouse
Box 014, Room 379
550 West Fort Street
Boise, Idaho 83724

Illinois

Medical Officer in Charge
PHS/DFEOH Health Unit

Everett McKinley Dirksen Building
Room 1419
219 South Dearborn Street
Chicago, Illinois 60604

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building - Room 187
536 South Clark Street
Chicago, Illinois 60605

Nurse in Charge
PHS/DFEOH Health Unit
Wacker Building, Room 2050
300 South Wacker Drive
Chicago, Illinois 60606

Nurse in Charge
PHS/DFEOH Health Unit
John C. Kluczynski Federal Bldg.
Room 360
230 S. Dearborn Street
Chicago, Illinois 60604

Indiana

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building - Room 614
575 Pennsylvania Street
Indianapolis, Indiana 46204

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 711
210 Walnut Street
Des Moines, Iowa 50309

Louisiana

Nurse in Charge
PHS/DFEOH Health Unit
Hale Boggs Federal Building
500 Camp Street, Room 1009
New Orleans, Louisiana 70130

Nurse in Charge
PHS/DFEOH Health Unit
F. Edward Hebert Federal Bldg. Rm 240
600 South State Street
New Orleans, Louisiana 70130

Massachusetts

Nurse in Charge
PHS/DFEOH Health Unit
Post Office & Court House Building
Room 1805
Boston, Massachusetts 02109

Medical Officer in Charge
PHS/DFEOH Health Unit
John F. Kennedy Building, Room E-120
Government Square
Boston, Massachusetts 02203

Nurse in Charge
PHS/DFEOH Health Unit
Waltham Federal Center
424 Trapelo Road
Waltham, Massachusetts 02154

Michigan

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building and U.S. Courthouse, Rm. 1050
231 W. Lafayette Street
Detroit, Michigan 48226

Nurse in Charge
PHS/DFEOH Health Unit
Patrick V. McNamara Federal Bldg.
Room 1170
447 Michigan Avenue
Detroit, Michigan 48226

Minnesota

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Rm. 248
Fort Snelling, Minnesota 55111

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & U.S. Courthouse
Room 167
316 Robert Street
St. Paul, Minnesota 55101

Missouri

Medical Officer in Charge
PHS/DFEOH Health Unit
Federal Office Building, Rm. 1211
911 Walnut Street
Kansas City, Missouri 64106

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building (GSA)
Corridor 16, Sub-basement
1500 East Bannister Road
Kansas City, Missouri 64131

Medical Officer in Charge
PHS/DFEOH Health Unit
Federal Building, Room 901
601 E. 12th Street
Kansas City, Missouri 64106

Nurse in Charge
PHS/DFEOH Health Unit
U. S. Geological Survey Bldg.
Room 902
1400 Independence Road
Rolla, Missouri 65401

Nurse in Charge
PHS/DFEOH Health Unit
210 North 12th Boulevard Building
Room 1045
210 North 12th Boulevard
St. Louis, Missouri 63101

Nurse in Charge
PHS/DFEOH Health Unit
Crown Center Office Building
Room 603
2460 Pershing Road
Kansas City, Missouri 64103

Nurse in Charge
GHS/DFEOH Health Unit
Federal Complex
Building MO-OSO1AE
601 Hardesty Road
Kansas City, Missouri 64124

Montana

Nurse in Charge PHS/DFEOH Health Unit
Federal Building & U.S. Courthouse
316 North 26th Street
Billings, Montana 59101

Nebraska

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building, Room 8408

215 N. 17th Street
Omaha, Nebraska 68102

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & Courthouse, Rm 249
100 Centennial Mall North
Lincoln, Nebraska 68508

New Jersey

Nurse in Charge
PHS/DFEOH Health Unit
Building T-2
Belle Mead Depot
Belle Mead, New Jersey 08502

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 905
970 Broad Street
Newark, New Jersey 07102

New Mexico

Nurse in Charge
PHS/DFEOH Health Unit
Dennis Chavez Federal Building
Room 5206
500 Gold Avenue, SW
Albuquerque, New Mexico 87101

New York

Medical Officer in Charge
PHS/DFEOH Health Unit
Federal Building, 8th Floor
29th Street and Third Avenue
Brooklyn, New York 11232

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building, Room 915
111 W. Huron Street
Buffalo, New York 14202

Nurse in Charge
PHS/DFEOH Health Unit
Astor Plaza Building
Room 3210
1515 Broadway
New York, New York 10036

Medical Officer in Charge
PHS/DFEOH Health Unit
U.S. Customs Court & Federal Bldg.
Foley Square
26 Federal Plaza
New York, New York 10007

Nurse in Charge
PHS/DFEOH Health Unit
Leo W. O'Brien Federal Building
Room B-39
Clinton Avenue & N. Pearl Street
Albany, New York 12207

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & U. S. Courthouse
Room 709
100 S. Clinton Street
Syracuse, New York 13260

North Carolina

Nurse in Charge
PHS/DFEOH Health Unit
Building D, Room 100
Environmental Protection Agency
Research Triangle Park, North Carolina 27711

Ohio

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & Courthouse
Room 260
2 South Main Street
Akron, Ohio 44308

Nurse in Charge
PHS/DFEOH Health Unit
National Institute for Occupational Safety and Health
Room SB-47
4676 Columbia Parkway
Cincinnati, Ohio 45226

Medical Officer in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 1515
550 Main Street
Cincinnati, Ohio 45202

Nurse in Charge
PHS/DFEOH Health Unit
Environmental Protection Agency
Room 357
26 West Saint Clair Street
Cincinnati, Ohio 45268

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building, Room 517
234 Summit Street
Toledo, Ohio 43604

Oklahoma

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building, U.S. Courthouse
Room B-605
200 N. W. 4th Street
Oklahoma City, Oklahoma 73101

Oregon

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building - Room 1173
1220 S. W. Third Avenue
Portland, Oregon 97204

Pennsylvania

Nurse in Charge
PHS/DFEOH Health Unit
U.S. Customs House & Federal Building
Room 111
2nd and Chestnut Streets
Philadelphia, Pennsylvania 19106

Nurse in Charge
PHS/DFEOH Health Unit
William J. Green, Jr. Federal Bldg.
Room 4306/4310
600 Arch Street
Philadelphia, Pennsylvania 19106

Nurse in Charge
PHS/DFEOH Health Unit
Gateway Building, Room 1320
3535 Market Street
Philadelphia, Pennsylvania 19104

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building
12th Floor
1000 Liberty Avenue
Pittsburgh, Pennsylvania 15222

Nurse in Charge

PHS/DFEOH Health Unit
Federal Building - Room 386
228 Walnut Street
Harrisburg, Pennsylvania 17108

Puerto Rico

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & Courthouse, Rm. 402
Avenida Carlos Chardon
Hato Rey, Puerto Rico 00918

Tennessee

Nurse in Charge
PHS/DFEOH Health Unit
Clifford Davis Federal Building
167 North Main Street
Memphis, Tennessee 38103

Texas

Medical Officer in Charge
PHS/DFEOH Health Unit
Earle Cabell Federal Bldg.
Room 9-E1
1100 Commerce Street
Dallas, Texas 75242

Medical Officer in Charge
PHS/DFEOH Health Unit
Federal Building, Room 13A25
819 Taylor Street at 10th
Fort Worth, Texas 76102

Medical Officer in Charge
PHS/DFEOH Health Unit
Federal Center, Bldg. 23
P.O. Box 6567, Room 17
Fort Worth, Texas 76115

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building
Room G-159
300 East 8th Street
Austin, Texas 78701

Nurse in Charge
PHS/DFEOH Health Unit
Main Tower Building
Room 1201
1200 Main Street
Dallas, Texas 75202

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & Courthouse
Room B-305
515 Rusk Avenue
Houston, Texas 77002

Utah

Nurse in Charge
PHS/DFEOH Health Unit
Federal Office Building, Room 3103
125 South State Street
Salt Lake City, Utah 84138

Virginia

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building and Courthouse
P.O. Box 2736
Roanoke, Virginia 24001

Washington

Nurse in Charge
PHS/DFEOH Health Unit

Arcade Plaza Building, Room 5051
1321 Second Avenue
Seattle, Washington 98101

Nurse in Charge
PHS/DFEOH Health Unit
Federal Center South Building
Room 184
4735 E. Marginal Way
Seattle, Washington 98134

Nurse in Charge
PHS/DFEOH Health Unit
New Federal Building, Room 570
915 Second Avenue
Seattle, Washington 98104

Nurse in Charge
PHS/DFEOH Health Unit
GSA Building #10, Room 1020
15th and C Streets, SW
Auburn, Washington 98002

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & U.S. Courthouse
Room 481
920 W. Riverside Avenue
Spokane, Washington 99201

Wisconsin

Nurse in Charge
PHS/DFEOH Health Unit
Federal Building & U.S. Courthouse
Room 420
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

09-15-0002

System name: Record of Patients' Personal Valuables and Monies
HEW/HSA/BMS.

Security classification: None.

System location: Financial Management offices - per appendix.

Categories of individuals covered by the system: Individuals admitted to PHS Hospital.

Categories of records in the system: Valuables and monies checked in for safe keeping.

Authority for maintenance of the system: Public Health Service Act Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in locked safe.

Retrievability: Purpose: safe keeping of patients' valuables. Users: cashier, HEW Audit Agency. Retrievability: by name and hospital record number.

Safeguards: Physical security. Access limited to authorized employees only.

Retention and disposal: Number of years held at HSA: Until audited. Number of years held at Federal Records Center before disposal: None. How destroyed: incinerator.

System manager(s) and address:

Chief, Financial Management Branch, BMS
11th Floor, Federal Center Bldg. #3
6525 Belcrest Rd., W. Hyattsville, MD 20782

Notification procedure: Write to appropriate Financial Management office - as listed in appendix.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).

Record source categories: Patient.

Systems exempted from certain provisions of the act: None.

Appendix

Address all correspondence to, Director, USPHS Hospital, attn:

Chief, Financial
Management, at the appropriate locations:
USPHS Hospital
3100 Wyman Park Drive
Baltimore, MD 21211

USPHS Hospital
77 Warren St.
Boston (Brighton) Mass. 02135

USPHS Hospital
Carville, La 70721

USPHS Hospital
2050 Space Park Drive
Nassau Bay, TX 77058

USPHS Hospital
210 State St.
New Orleans, La 70118

USPHS Hospital
6500 Hampton Blvd., Larchmont
Norfolk, Va 23508

USPHS Hospital
1131 14th Ave., South
Seattle, Wash., 98144

USPHS Hospital
Bay Street and Vanderbilt Avenue
Staten Island, New York 10304

USPHS Hospital
15th Ave. & Lake St.
San Francisco, Calif. 94118

09-15-0003

System name: Contract Physicians and Consultants HEW/HSA/BMS.

Security classification: None.

System location:

6525 Belcrest Road, Room 1100, Presidential Building
Hyattsville, Maryland 20782
and 9 USPH Hospitals per appendix

Categories of individuals covered by the system: Medical and allied health professionals (physicians, nurses, physical therapists, etc.) who have contracted with the Bureau of Medical Services or its Divisions to provide services to beneficiaries.

Categories of records in the system: Duplicate of original contract and personal data qualifications.

Authority for maintenance of the system: Public Health Service Act Sections 321, 322 (42 U.S.C. 248, 249).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (42 CFR Part 5b, Appendix B, item (5)).

Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization. (42 CFR Part 7b, Appendix B, item (5)).

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File Folders.

Retrievability: Purpose: Contract compliance, review of credentials, statistical and other information required to manage the program. Users: Professional and administrative staff of the Bureau of Medical Services, its Divisions and field stations. Retrievability: Name and contract number.

Safeguards: Access limited to professional and administrative staff of the Bureau of Medical Services, its Divisions and field stations who need to know in order to perform their official duties.

Retention and disposal: Number of years held at HSA - 1-3 years dependent upon renewal. Number of years held at Federal Records Center before disposal - copy not held. How destroyed: shredded.

System manager(s) and address:

Chief, General Services Branch
HEW/HSA/Bureau of Medical Services
6525 Belcrest Road, Room 1100
Hyattsville, Maryland 20782

Notification procedure:

Director, Bureau of Medical Services, Attn:
Chief, General Services Branch
6525 Belcrest Road, Room 1100, Presidential Building
Hyattsville, Maryland 20782
and List as under location

Record access procedures: Same as notification procedures. Write to the official at the appropriate address specified in the appendix. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Physicians/consultants.

Systems exempted from certain provisions of the act: None.

Appendix

Director, USPHS Hospital, attn:
General Supply Officer
3100 Wyman Park Drive
Baltimore, Maryland 21211

Director, USPHS Hospital, attn:
General Supply Officer
77 Warren Street
Boston (Brighton), Mass. 02135

Director, USPHS Hospital, attn:

General Supply Officer
Carville, Louisiana 70721

Director, USPHS Hospital, attn:
General Supply Officer
2050 Space Park Drive
Nassau Bay, TX 77058

Director, USPHS Hospital, attn:
Office Services Manager
210 State Street
New Orleans, Louisiana 70118

Director, USPHS Hospital, attn:
Supply Officer
6500 Hampton Boulevard
Norfolk, Virginia 23508

Director, USPHS Hospital, attn:
General Services Officer
15th Avenue and Lake Street
San Francisco, California 94118

Director, USPHS Hospital, attn:
General Supply Officer
1131 14th Avenue, S.
Seattle, Washington 98144

Director, USPHS Hospital, attn:
Supply Management Officer
Bay Street & Vanderbilt Avenue
Staten Island, N.Y. 10304

09-15-0004

System name: Federal Employee Occupational Health Data System
HEW/HSA/BMS.

Security classification: None.

System location:

FCB #3, Room 330
6525 Belcrest Road
W.Hyattsville, Maryland 20782

Categories of individuals covered by the system: Federal employees enrolled in PHS/DFEOH Health Units. (See appendix to Division of Federal Employee Health (DEFH) Employee Health Records System to determine covered employees).

Categories of records in the system: Health Records.

Authority for maintenance of the system: 5 USC 7901, 5 USC 8101, OMB Circular No. A-72.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

U.S. Department of Labor, Officer of Worker's Compensation Program, may be given access to files of those persons claiming compensation benefits due to personal injury while on the job.

Certain records may be disclosed to medical laboratories, medical consultants, or computer processing firms under service contract agreement. In the event of a change in sponsorship of a PHS/DFEOH health care unit or in a case of mass transfer of employees covered by a PHS/DFEOH health care unit to one served by a non-departmental organization, the health records will be transferred to the custodianship of the new organization.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, and disc.

Retrievability: Purpose: The system is designed to provide improved information to DFEOH management while simultaneously

reducing the administrative workload on the medical professionals in the health units. Users: physicians, nurses, other health professionals. Retrievability: name and Social Security numbers, which are supplied on a voluntary basis, are used for retrieval.

Safeguards: Access to information limited to authorized DFEOH personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Number of years held at HSA - Permanently or until 5 years after record becomes inactive. Purged from computer and stored on computer tape for a period of 5 years after file becomes inactive.

System manager(s) and address:

Director
Division of Federal Employee Occupational Health
FCB #3 6526 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Data resulting from the clinical and preventive services offered by the PHS/DFEOH Health Units and data obtained from individual.

Systems exempted from certain provisions of the act: None.

09-15-0005

System name: Dental Research - Evaluation of Restorative Materials HEW/HSA/BMS.

Security classification: None.

System location:

USPHS Hospital
15th Avenue and Lake Street
San Francisco, California 94118
and Regional Federal Records Center

Categories of individuals covered by the system: Patients in PHS Hospital participating in research project.

Categories of records in the system: Dental history and treatment.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and file folders.

Retrievability: Purpose: study to improve dental restorative material. Users: PHS Dental researchers. Information transferred to the National Institutes of Health and the Food and Drug Administration. Retrievability: patient study number.

Safeguards: Secured in locked file cabinets; only research staff has access.

Retention and disposal: Number of years held at HSA - 10 years. Number of years held at Federal Record Center before disposal - 5 years.

System manager(s) and address:

Director, USPHS Hospital
Attention: Research Coordinator
Division of Hospitals and Clinics
15th Avenue and Lake Street
San Francisco, California 94118

Notification procedure: Inquiries should be addressed to the System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patient and Dental care team.

Systems exempted from certain provisions of the act: None.

09-15-0006

System name: Cooperative Research Studies System: Coronary Artery Disease HEW/HSA/BMS.

Security classification: None.

System location:

USPHS Hospital
3100 Wyman Park Dr.
Baltimore, Md. 21211

Categories of individuals covered by the system: Patients at Public Health Service Hospitals who have agreed to participate in the project.

Categories of records in the system: Medical data.

Authority for maintenance of the system: Public Health Service Act, Sections 301, 321 (42 U.S.C. 241, 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research (42 CFR Part 5b, Appendix B, item (101)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents, magnetic tape, punch cards.

Retrievability: Purpose: medical research. Users: qualified research personnel. Retrievability: name, medical record number.

Safeguards: Locked files, limited access by other than research personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Retained for life of the study. Destroyed by shredding.

System manager(s) and address:

Director, Division of Hospitals and Clinics
Federal Center Bldg. #3, 6525 Belcrest Rd.
Hyattsville, Md. 20782

Notification procedure:

Director: USPHS Hospital
Attention: Chief, Cardiology Service
3100 Wyman Park, Dr.
Baltimore, Md. 21211

Write to System Manager. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).)

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7).)

Record source categories: Patient and medical care system.

Systems exempted from certain provisions of the act: None.

09-15-0007

System name: Patients Medical Record System PHS Hospitals/Clinics HEW/HSA/BMS.

Security classification: None.

System location: See appendices 1 and 2. Records are also located at Regional Federal Records Centers.

Categories of individuals covered by the system: Individuals examined/treated at Public Health Service Hospitals and Clinics.

Categories of records in the system: Medical examination, diagnostic and treatment data, information for proof of eligibility, social data, disease registers, treatment logs, statistical summaries, correspondence.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to: (1) any community health organization, government agency, private physicians and/or company which had requested or arranged for an examination, treatment or care of an individual by the Bureau of Medical Services; (2) Army, Navy, Air Force for reports of uniformed service personnel and their dependents examination/treatment; (3) Coast Guard for reports of uniformed service personnel and their dependents and for reports of American seamen found to be suffering from conditions that render them hazardous to themselves or to others aboard ship; (4) National Oceanic and Atmospheric Administration for reports others aboard ship; (5) National Oceanic and Atmospheric Administration for reports of uninformed service and other personnel of that agency; (6) Immigration and Naturalization Service for reports of aliens examined and treated for and in behalf of that agency; (7) Bureau for Prisons for reports of examination and treatment of patients examined and/or treated for and on behalf of the BP; (8) Department of Health or other agency of a state or its subdivision for reports required under state law or regulation; (9) U.S. Department of Labor, Office of Workers Compensation Programs, for persons claiming compensation benefits due to personal injury while employed by the government; (10) Health professions students serving an affiliation at the institution and Non-agency physicians or laboratories for continued care of the patient; (11) Veterans Administration to assist uniformed service personnel retirees and veterans obtain medical care or benefits; (12) Research personnel participating in an approved disease register; (13) Accreditation and health education program agencies.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to

such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (42 CFR Part 5b; Appendix B, item (9)).

Disclosure may be made to individuals and organizations, deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (42 CFR Part 5b, Appendix B, item (101)).

Disclosure may be made to organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. (42 CFR Part 5b, Appendix B, item (102)).

Information regarding the commission of crimes or the reporting of occurrences of communicable diseases, child abuse, births, deaths, alcohol or drug abuse, etc. as may be required to be disclosed by health providers and facilities generally by the law of the State in which the facility is located. Such disclosures of information pertaining to an individual treated or referred for treatment of alcohol or drug abuse will be limited in compliance with the restrictions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations, 42 CFR, Part 2.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, magnetic tape, punch cards, microfilm.

Retrievability: Purpose: communication for patient care by health care team and related personnel. Administrative use for facility management and medical care evaluation, by medical and related staff, administrative staff of the facility. Educational uses to educate and train medical and allied health personnel. Research, study of disease cause, treatment and methods of care delivery. Users: health care team, other medical and allied medical personnel. Medical and allied health students. Administrative personnel for determination of eligibility for care and facility management. Reports of examination/treatment of individuals at request of DHEW-OP, Commissioned Personnel Operations Division. Reports of adverse drug reaction and medical device malfunction to the Food and Drug Administration. Recover cost of care - PHS Claims Officer. Retrievability: indexed by name, register number, number control register, disease and operation, uniformed services service number which is the social security number. Those records indexed by SSN are retrieved in accordance with 7 (a) (2) (B) of the Privacy Act.

Safeguards: Locked storage area, personnel training and instruction, PHS Policy on release of information, job description responsibility for individual employees. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel. Disclosure of the contents of records which pertain to patient identity, diagnosis, prognosis or treatment of alcohol or drug abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations 42 CFR, Part 2, as authorized by 21 USC 1175 and 42 USC 4582, as amended by P.L. 93-282. To the extent possible, identical restrictions are applied to the disclosure of the contents of records pertaining to individuals with other programs who are participating in Public Health Employee Assistance Programs.

Retention and disposal: Numbers of years held at HSA (since 1970) - 5 years after last activity. Number of years held at Federal Record Center before disposal - 50 years active duty uniformed service personnel, 25 years all others. Microfilmed records prior to 1970 - permanently. How destroyed: According to Federal Records Center policy.

System manager(s) and address:

Director, Division of Hospitals and Clinics
Federal Center Building #3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as system location, but not including Regional Federal Records Centers. Individual must contact appropriate facility directly. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be

willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual, health care personnel, other hospitals and physicians, employers, social agencies, maritime unions, shipping companies.

Systems exempted from certain provisions of the act: None.

Appendix 1

Director, USPHS Hospital
3100 Wyman Park Drive
Baltimore, Maryland 21211

Director, USPHS Hospital
77 Warren Street
Boston (Brighton), Massachusetts 02135

Director, USPHS Hospital
2050 Space Park Drive
Nassau Bay, TX 77058

Director, USPHS Hospital
210 State Street
New Orleans, Louisiana 70118

Director, USPHS Hospital
6500 Hampton Boulevard
Larchmont
Norfolk, Virginia 23508

Director, USPHS Hospital
15th Avenue and Lake Street
San Francisco, California 94118

Director, USPHS Hospital
Box 3145 or
1131 14th Avenue South
Seattle, Washington 98144

Director, USPHS Hospital
Bay Street and Vanderbilt Avenue
Staten Island, New York 10304

Director, USPHS Hospital
Carville, Louisiana 70721

Appendix 2

Director
USPHS Outpatient Clinic
1600 Clifton Road, N.E.
Atlanta, Georgia 30333

Director
USPHS Outpatient Clinic
50 High Street, R. 609
Buffalo, New York 14203

Director
USPHS Outpatient Clinic
214 Federal Building
334 Meeting Street
Charleston, S. C. 29403

Director
USPHS Outpatient Clinic
1439 S. Michigan Avenue
Chicago, Illinois 60605

Director
USPHS Outpatient Clinic
U.S. Post Office and Courthouse
5th and Walnut Street
Cincinnati, Ohio 45202

Director
USPHS Outpatient Clinic
New P. O. Building, West 3rd Street and Prospect Ave.
Cleveland, Ohio 44113

Director
USPHS Outpatient Clinic
14700 Riverside Drive
Detroit, Michigan 48215

Director
USPHS Outpatient Clinic
Box 1410 or
591 Ala Moana Boulevard
Honolulu, Hawaii 96807

Director
USPHS Outpatient Clinic
204 U. S. Customs Building
701 San Jacinto Street
Houston, Texas 77002

Director
USPHS Outpatient Clinic
Box 4788 or Suite 118
Post Office Bldg
311 West Monroe Street
Jacksonville, Florida 32201

Director
USPHS Outpatient Clinic
969 Madison Avenue
Memphis, Tennessee 38104

Director
USPHS Outpatient Clinic
51 S. W. 1st Avenue, Room 712
Miami, Florida 33130

Director
USPHS Outpatient Clinic
125 Federal Building
Mobile, Alabama 36602

Director
USPHS Outpatient Clinic
245 West Houston Street
New York, New York 10014

Director
USPHS Outpatient Clinic
Room 700
US Customs House
2nd & Chestnut Sts
Philadelphia, Pa. 19106

Director
USPHS Outpatient Clinic
U. S. Post Office and Courthouse
7th Avenue and Grant Street
Pittsburgh, Pa. 15219

Director
USPHS Outpatient Clinic
209 Federal Office Building
5th Street and Austin Avenue
Port Arthur, Texas 77640

Director
USPHS Outpatient Clinic

331 Veranda Street
Portland, Maine 04103

Director
USPHS Outpatient Clinic
220 Courthouse
Broadway and Main Street
Portland, Oregon 97205

Director
USPHS Outpatient Clinic
1520 Market Street
St. Louis, Missouri 63103

Director
USPHS Outpatient Clinic
2105 Fifth Avenue
San Diego, California 92101

Director
USPHS Outpatient Clinic
Box 3788
or 8 1/2 Fernandez Juncos Avenue
San Juan, Puerto Rico 00904

Director
USPHS Outpatient Clinic
Box 831
or 825 S. Beacon Street
San Pedro, California 90731

Director
USPHS Outpatient Clinic
P. O. Box 9625
or 1602 Drayton Street
Savannah, Georgia 31402

Director
USPHS Outpatient Clinic
P. O. Box 1611
or 601 Florida Avenue
Tampa, Florida 33601

Director
USPHS Outpatient Clinic
Switzer Bldg.
4th and C Streets, S.W.
Washington, D. C. 20201

09-15-0008

System name: Emergency Non-PHS Treatment Authorization File
HEW/HSA/BMS.

Security classification: None.

System location: See Appendices 1 and 2 to system notice 09-15-0007, Patients Medical Record System PHS Hospitals/Clinics HEW/HSA/BMS.

Categories of individuals covered by the system: Individuals who are eligible for emergency care paid for by the Public Health Service at non-Service medical facilities and have had such care.

Categories of records in the system: Eligibility information and reasons for emergency care.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to non-PHS providers of medical care for the purpose of providing emergency treatment to eligible individuals.

Disclosure may be made to insurance companies for third party reimbursement.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it

deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Document files.

Retrievability: Purpose: to determine eligibility for medical care by the PHS; used to document expenditure of public funds; review and evaluation of medical care. Users: DHEW administrative officials; DHEW physicians or other DHEW health care professionals. Financial officers of the Division of Hospitals and Clinics, BMS. Retrievability: name.

Safeguards: Retained in files of authorized administrative personnel only.

Retention and disposal: Number of years held at HSA - permanently.

System manager(s) and address:

Director, Division of Hospitals and Clinics
FOB #3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Same as system location. Individual must contact appropriate treatment facility directly.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual or someone acting in his/her behalf, and providers of medical care.

Systems exempted from certain provisions of the act: None.

09-15-0009

System name: Cooperative Research Studies System: Pylonephritis HEW/HSA/BMS.

Security classification: None.

System location: See Appendix 1 to system notice 09-15-0007, Patients Medical Record System PHS Hospitals/Clinics HEW/HSA/BMS.

Categories of individuals covered by the system: Patients at Public Health Service Hospitals who have agreed to participate in the project.

Categories of records in the system: Medical data.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 U.S.R. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (42 CFR Part 5b, Appendix B, item (101))

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (42 CFR Part 5b, Appendix B, item (9))

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents, magnetic tape, punch cards.

Retrievability: Purpose: medical research. Users: qualified research personnel. Retrievability: study number, name, hospital register number.

Safeguards: Locked files, access to study number control limited to research project personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Retained for life of research project.

System manager(s) and address:

Director, Division of Hospitals and Clinics
Federal Center Building # 3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Write to System Manager and give treatment location. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual and medical care system.

Systems exempted from certain provisions of the act: None.

09-15-0010

System name: Cooperative Research Studies System: Essential Hypertension HEW/HSA/BMS.

Security classification: None.

System location: System location: See Appendix 1 to system notice 09-15-0007, Patients Medical Record System PHS Hospitals/Clinics HEW/HSA/BMS.

Categories of individuals covered by the system: Patients at Public Health Service Hospitals who have agreed to participate in the project.

Categories of records in the system: Medical data.

Authority for maintenance of the system: Public Health Service Act, Section 321 (43 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (42 CFR Part 5b, Appendix B, item (101))

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. (42 CFR Part 5b, Appendix B, item (9))

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents, magnetic tape, punch cards.

Retrievability: Purpose: medical research. Users: qualified research personnel. Retrievability: study number, name, hospital register number.

Safeguards: Locked file. Access to study number control and record limited to research project personnel. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Retained for the life of the research study.

System manager(s) and address:

Director, Division of Hospitals and Clinics
Federal Center Building # 3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Write to System Manager and provide treatment location. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual and medical care system.

Systems exempted from certain provisions of the act: None.

09-15-0018

System name: Unofficial Vital Records System. HEW/HSA/IHS.

Security classification: None.

System location: Indian Health Service Area and Program Offices.

Categories of individuals covered by the system: American Indians and Alaskan Natives.

Categories of records in the system: Birth information.

Authority for maintenance of the system: Public Health Service Act Section 321 (42 U.S.C. 258, 2001 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the unofficial birth record of an individual in response to an inquiry from the congressional office made at the request of that individual. Such disclosure will be made in conjunction with notification that the birth record is an unofficial copy of the State Record, thus it must be verified by the State Health Department from which the record came.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in file cases; microfilm reels, computer cards and tapes.

Retrievability: Purpose: Used in health care program development, analysis, and evaluation. Birth record is an unofficial copy of the State record which is used internally for aggregate statistical and planning purposes. Users: Authorized agency personnel including maternal and child health personnel, health planners, statisticians, epidemiologists, demographers, and others concerned with problems of health, health care, and health hazards. Retrievability: Indexed by calendar year of event.

Safeguards: Locked areas.

Retention and disposal: Number of years held at IHS: Varies by IHS area from 1 year to permanently. How destroyed: Burned or shredded.

System manager(s) and address: See Appendix.

Notification procedure: To determine if a record exists, write to the official at the appropriate address specified in the appendix. Supply date of birth, place of birth, father's name, and mother's maiden name.

Record access procedures: Same as notification procedures. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5 (a)).

Contesting record procedures: Write to the official at the address specified in the appendix and reasonably identify the record and specify the information to be contested. The information contested may only be changed in the unofficial vital records system and the State must be notified separately to change the official documents.

Record source categories: Records are obtained from State vital statistics offices and other jurisdictions.

Systems exempted from certain provisions of the act: None.

Appendix

Director
Aberdeen Area Indian Health Service
Federal Building
115 Fourth Avenue, S. E.
Aberdeen, South Dakota 57401
Attn: Chief, Maternal and Child Health Branch

Director
Albuquerque Area Indian Health Service
Room 4005, Federal Office Building
500 Gold Avenue, S.W.
Albuquerque, New Mexico 87101
Attn: Chief, Program Analysis & Statistics Br.

Director
Alaska Area Native Health Service
P.O. Box 7-741
Anchorage, Alaska 99510
Attn: Chief, Office of Systems Development

Director
Billings Area Indian Health Service
P.O. Box 2143
Billings, Montana 59103
Attn: Area Program Planning and Statistics Office

Director
Navajo Area Indian Health Service
P.O. Box G
Window Rock, Arizona 86515
Attn: Chief, Maternal and Child Health Br.

Director
Oklahoma City Area Indian Health Service
388 Old Post Office and Court House Bldg.
Oklahoma City, Oklahoma 73102
Attn: Chief, Program Analysis & Statistics Br.

Director
Phoenix Area Indian Health Service
801 East Indian School Road
Phoenix, Arizona 85014
Attn: Director, Office of Program Planning

Director
Portland Area Indian Health Service
Room 476 Federal Building
1220 Southwest Third
Portland, Oregon 97204
Attn: Chief, Program Planning & Statistics

Program Director
United Southeastern Tribes
Indian Health Service
Oak Towers Bldg.
1102 Kermit Drive 1101
Nashville, Tenn. 37217
Attn: Privacy Act Coordinator

Director
Tucson Program Area
Indian Health Service
P.O. Box 11340
Tucson, Arizona 85734
Attn: Chief, Community Health Status Surveillance

Director
Sacramento Program Area
Indian Health Service
2800 Cottage Way, E-1831
Sacramento, Calif. 95825

09-15-0019

System name: Health and Medical Records Systems. HEW/HSA/IHS.

Security classification: None.

System location: Indian Health Service Service Units, Area and Program Offices, and Regional Federal Records Centers.

Categories of individuals covered by the system: Individuals examined/treated at Indian Health Service facilities, and by contract providers including hospitals, physicians, and other health providers.

Categories of records in the system: Health and medical information including examination, diagnostic and treatment data, information for proof of eligibility, social data, disease registers, commitment registers, communicable diseases, special program and/or discipline patient profiles and research studies, statistical summaries, correspondence, etc.

Authority for maintenance of the system: Public Health Service Act Section 321 (42 U.S.C. 248); 42 U.S.C. 2001; Self Determination Act (25 U.S.C. 450); Indian Sanitation Facilities Act (42 U.S.C. 20040); Synder Act (25 USC 13); Health Care Improvement Act (25 USC 1601); and Construction of Community Hospitals (25 USC 2005).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in part or total may be disclosed:

To state, local or other authorized organizations which provide health services to American Indians and Alaskan Natives for the purpose of planning for or providing such services; billing third parties for the payment of care, and reporting results of medical examination, care and treatment.

To individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (42 CFR Part 5b, Appendix B, item (101))

To federal and non-federal school systems which serve American Indian and Alaskan Native children for the purpose of student health maintenance and to the Bureau of Indian Affairs and their contractors for the identification of American Indian and Alaska Native handicapped children in support of P.L. 94-142, the Education for All Handicapped Children Act of 1975.

To organizations deemed qualified by the Secretary to carry out quality assessment, medical audits or utilization review. (42 CFR Part 5b, Appendix B, item (102))

To authorized organizations or individuals for conduct of analytical and evaluation studies sponsored by the Indian Health Service.

To a Congressional office in response to an inquiry from that office made at the request of the subject individual.

Information regarding the commission of crimes or the reporting of occurrences of communicable diseases, child abuse, births, deaths, alcohol or drug abuse, etc. as may be required to be disclosed by health providers and facilities generally by the law of the State in which the facility is located. Such disclosures of information pertaining to an individual treated or referred for treatment of alcohol or drug abuse is limited in compliance with the restrictions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations, 42 CFR, Part 2.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, ledgers, card files, microfiche, microfilm, computer cards and tapes, and automatic or open shelf files, automated tapes and disc files.

Retrievability:

Purpose: Medical history of the total health care and medical treatment received, supplemental health records and indexes. To assist in planning further care of patient, to serve as basis for planning future health and related programs, to serve as means of communication among members of health care team, to serve as a legal document of health care rendered, to serve as a tool in evaluating quality of health care rendered, to use in research and education, to compile aggregated statistics.

Users: Authorized agency personnel and authorized contractors, researchers and medical audit personnel, health care team members.

Retrievability: Indexed by name and record number and social security number (SSN) and cross indexed. SSN is supplied on a voluntary basis.

Safeguards: Training of authorized personnel and locked areas. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel. Disclosure of the contents of records which pertain to patient identity, diagnosis, prognosis or treatment of alcohol or drug abuse is restricted under the provisions of the Confidentiality of Alcohol and Drug Abuse Patient Records Regulations 42 CFR, Part 2, as authorized by 21 USC 1175 and 42 USC 4582, as amended by P.L. 93-282. To the extent possible, identical restrictions will be applied to the disclosure of the contents of records pertaining to individuals with other programs who are participating in Public Health Employee Assistance Programs.

Retention and disposal: Active records maintained in facility and basic source statistical documents maintained in Area and program offices permanently. Inactive records held at the facility providing services from 3 to 7 years and then transferred to the Federal Records Center for disposal.- 50 years active duty uniformed services personnel, 25 years all others. How destroyed: According to Federal Record Center practices.

System manager(s) and address: See Appendix.

Notification procedure: Individual must contact appropriate facility as listed in the appendix. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. A parent or guardian who requests notification of or access to a child's/incompetent person's record shall designate a family physician or other health professional (other than a family member) to whom the record, if any, will be sent. The parent or guardian must verify relationship to the child/incompetent person as well as his/her own identity. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2))).

Contesting record procedures: Write to the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Patient and/or family members, provider of health and related services.

Systems exempted from certain provisions of the act: None.

Appendix

Director

Aberdeen Area Indian Health Service
Federal Building
115 Fourth Avenue, S.E.
Aberdeen, South Dakota 57401
Attn: Chief, Health Records Branch

Director

Albuquerque Area Indian Health Service
Room 4005, Federal Office Building

500 Gold Avenue, S.W.
Albuquerque, New Mexico 87101
Attn: Chief, Health Records Branch

Director

Alaska Area Native Health Service
P.O. Box 7-741
Anchorage, Alaska 99510
Attn: Chief, Health Records Branch

Director

Billings Area Indian Health Service
P.O. Box 2143
Billings, Montana 59103
Attn: Area Program Planning and Statistics Office

Director

Navajo Area Indian Health Service
P.O. Box G
Window Rock, Arizona 86515
Attn: Chief, Health Records Branch

Director

Oklahoma City Area Indian Health Service
388 Old Post Office and Court House Bldg.
Oklahoma City, Oklahoma 73102
Attn: Chief, Records Librarian Consultant

Director

Phoenix Area Indian Health Service
801 East Indian School Road
Phoenix, Arizona 85014
Attn: Chief, Health Records Branch

Director

Portland Area Indian Health Service
Room 476, Federal Building
1220 Southwest Third
Portland, Oregon 97204
Attn: Chief, Health Records Branch

Program Director

United Southeastern Tribes
Indian Health Service
Oak Towers Bldg.
1101 Kermit Drive
Nashville, Tenn. 37217
Attn: Privacy Act Coordinator

Director

Tucson Program Area
Indian Health Service
P.O. Box 11340
Tucson, Arizona 85734
Attn: Director, Sells Service Unit

Director

Sacramento Program Area
Indian Health Service
2800 Cottage Way, E-1831
Sacramento, Calif. 95825
Attn: Privacy Act Coordinator

Service Unit Director

Belcourt Indian Hospital
Belcourt, N.D. 58316

Service Unit Director

Eagle Butte Indian Hospital
Eagle Butte, S.D. 57625

Service Unit Director

Fort Yates Indian Hospital
Fort Yates, N.D. 58538

Service Unit Director

Pine Ridge Indian Hospital
Pine Ridge, S.D. 57770

Service Unit Director

Rapid City Indian Hospital
Rapid City, S.D. 57701

Service Unit Director
Rosebud Indian Hospital
Rosebud, S.D. 57570

Service Unit Director
Sisseton Indian Hospital
Sisseton, S.D. 57262

Service Unit Director
Wagner Indian Hospital
Wagner, S.D. 57380

Service Unit Director
Winnebago Indian Hospital
Winnebago, Neb. 68071

Service Unit Director
Chamberlain Indian Health Center
Chamberlain, S.D. 57325

Service Unit Director
Fort Totten Indian Health Center
Fort Totten, N.D. 58335

Service Unit Director
Newtown Indian Health Center
Newtown, N.D. 58763

Service Unit Director
Cass Lake Indian Hospital
Cass Lake, Minn. 56633

Service Unit Director
Red Lake Indian Hospital
Red Lake, Minn. 56671

Service Unit Director
White Earth Indian Health Center
White Earth, Minn. 56591

Director
PHS Alaska Native Medical Center
Box 7-741
Anchorage, Alaska 99510

Service Unit Director
Barrow Alaska Native Hospital
Barrow, Alaska 99723

Service Unit Director
Bethel Alaska Native Hospital
Bethel, Alaska 99559

Service Unit Director
Kanakanak Alaska Native Hospital
Kanakanak, Alaska 99576

Service Unit Director
Kotzebue Alaska Native Hospital
Kotzebue, Alaska 99752

Service Unit Director
Mt. Edgecumbe Alaska Native Hospital
Mt. Edgecumbe, Alaska 99835

Service Unit Director
Tanana Alaska Native Hospital
1638 Cowles Street
Fairbanks, Alaska 99777

Service Unit Director
Albuquerque Indian Hospital
801 Vassar Dr., N.D.
Albuquerque, N.M. 87106

Service Unit Director
Mescalero Indian Hospital
Mescalero, N.M. 88340

Service Unit Director
Santa Fe Indian Hospital
Cerrillos Road

Santa Fe, N.M. 87501

Service Unit Director
Zuni Indian Hospital
Zuni, N.M. 87327

Service Unit Director
Browning Indian Hospital
Browning, Mont. 59417

Service Unit Director
Crow Indian Hospital
Crow Agency, Mont. 59022

Service Unit Director
Harlem Indian Hospital
Harlem, Mont. 59526

Service Unit Director
Box Elder Indian Health Center
Box Elder, Mont. 59521

Service Unit Director
Fort Washakie Indian Health Center
Fort Washakie, Wyo. 82514

Service Unit Director
Lame Deer Indian Health Center
Lame Deer, Mont. 59043

Service Unit Director
Poplar Indian Health Center
Poplar, Mont. 59255

Service Unit Director
St. Ignatius Indian Health Center
St. Ignatius, Mont. 59865

Service Unit Director
Intermountain School Health Center
P.O. Box 602
Brigham City, Utah 84302

Service Unit Director
Claremore Indian Hospital
Claremore, Okla. 74017

Service Unit Director
Clinton Indian Hospital
Clinton, Okla. 73601

Service Unit Director
Lawton Indian Hospital
Lawton, Okla. 73501

Service Unit Director
Pawnee Indian Hospital
Pawnee, Okla. 74058

Service Unit Director
W. W. Hastings Indian Hospital
1120 Grand
Tahlequah, Okla. 74464

Service Unit Director
Talihina Indian Hospital
Talihina, Okla. 74571

Service Unit Director
Holton Indian Health Center
Holton, Kansas 66436

Service Unit Director
Shawnee Indian Health Center
Shawnee, Okla. 74801

Service Unit Director
Tishomingo Indian Health Center
Tishomingo, Okla. 73460

Facility Director
Haskell Junior College

Indian School Health Center
Lawrence, Kansas 66044

Service Unit Director
Keams Canyon Indian Hospital
P.O. Box 98
Keams Canyon, Ariz. 86034

Service Unit Director
Owyhee Indian Hospital
P.O. Box 212
Owyhee, Nev. 89832

Service Unit Director
Parker Indian Hospital
Route 1, Box 12
Parker, Ariz. 85344

Service Unit Director
Phoenix Indian Medical Center
4212 North 16th St.
Phoenix, Ariz. 85016

Service Unit Director
Sacaton Indian Hospital
Sacaton, Ariz. 85247

Service Unit Director
San Carlos Indian Hospital
San Carlos, Ariz. 85550

Service Unit Director
Schurz Indian Hospital
Schurz, Nev. 89427

Service Unit Director
Whiteriver Indian Hospital
Whiteriver, Ariz. 85941

Service Unit Director
Fort Yuma Indian Hospital
P.O. Box 1368
Yuma, Ariz. 85364

Service Unit Director
Uintah and Ouray Indian Health Center
P.O. Box 967
Rossevelt, Utah 84066

Service Unit Director
Colville Indian Health Center
Nespelem, Wash. 99155

Service Unit Director
Fort Hall Indian Health Center
P.O. Box 317
Ft. Hall, Idaho 83203

Service Unit Director
Neah Bay IHS Health Center
P.O. Box 408
Neah Bay, Wash. 98357

Service Unit Director
Northern Idaho Indian Health Center
P.O. Drawer #367
Lapwai, Idaho 83540

Service Unit Director
Northwest Washington Service Unit
P.O. Box 241
Marietta, Wash. 98268

Service Unit Director
Taholah Indian Health Center
P.O. Box 1148
Taholah, Wash. 98587

Service Unit Director
Warm Springs Indian Health Center
Warm Springs, Ore. 97761

Service Unit Director
Wellpinit Indian Health Center
P.O. Box 62
Wellpinit, Wash. 99040

Service Unit Director
Yakima Indian Health Center
Route 1, Box 77
Toppenish, Wash. 98948

Service Unit Director
Umatilla Indian Health Center
P.O. Box 159
Pendleton, Ore. 97801

Service Unit Director
Puget Sound Indian Health Loc.
1212 So. Judkins
Seattle, Wash. 98144

Service Unit Director
Chemawa Indian School Health Center
5545 Chugach St., NE
Salem, Ore. 97303

Service Unit Director
Crownpoint Indian Hospital
Crownpoint, N.M. 87313

Service Unit Director
Fort Defiance Indian Hospital
Ft. Defiance, Ariz. 86504

Service Unit Director
Gallup Indian Hospital
Gallup, N.M. 87301

Service Unit Director
Shiprock Indian Hospital
Shiprock, N.M. 87420

Service Unit Director
Tuba City Indian Hospital
Tuba City, Ariz. 85045

Service Unit Director
Winslow Indian Health Center
Winslow, Ariz. 86047

Service Unit Director
Chinle Indian Health Center
Chinle, Ariz. 86503

Service Unit Director
Kayenta Indian Health Center
Kayenta, Ariz. 86033

Service Unit Director
Sells Indian Hospital
Sells, Ariz. 85634

Service Unit Director
Cherokee Indian Hospital
Cherokee, N.C. 28719

Service Unit Director
Philadelphia Indian Hospital
Philadelphia, Miss. 39350

Service Unit Director
Hollywood Indian Health Center
Hollywood, Fla. 33024

Program Director
Bemidji Program Office
203 Federal Building
Bemidji, Minn. 56601

09-15-0022

System name: Accounts Receivable DHEW/HSA/BMS

Security classification: None.

System location: Financial Management Offices - see attached list.

Categories of individuals covered by the system: Patients, Employees, Attorneys.

Categories of records in the system: Billing to individuals.

Authority for maintenance of the system: Public Health Service Act Section 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be provided to any government agency which had requested or arranged for treatment or care of an individual by the Bureau of Medical Services.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Retrievable by name. Purpose: To collect funds due Federal Government. Uses: Billing and collecting. Users: Billing clerk, cashier, HEW Audit Agency, HEW Claims Officer.

Safeguards: Physical security - financial management personnel have access.

Retention and disposal: Number of years held at HSA - Until audited. How destroyed: Incinerator.

System manager(s) and address:

Chief, Financial Management Branch, BMS
11th Floor, Federal Center Bldg. #3
6525 Belcrest Rd., W. Hyattsville, Md. 20782

Notification procedure: Financial Management Offices - as listed in the appendix.

Record access procedures: Requesters should contact the appropriate office listed in the appendix and reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Write to appropriate Financial Management Officer as listed in the appendix and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: From individual via the medical record Hospital Administrative Department.

Systems exempted from certain provisions of the act: None.

Address all correspondence to:

Chief, Financial Management, at the appropriate location below:

USPHS Hospital
3100 Wyman Park Drive
Baltimore, Md. 21211

USPHS Hospital
77 Warren St.
Boston (Brighton) Mass. 02135

USPHS Hospital
Carville, La. 70721

USPHS Hospital
2050 Space Park Drive
Nassau Bay, TX 77058

USPHS Hospital
210 State St.
New Orleans, La. 70118

USPHS Hospital
6500 Hampton Blvd., Larchmont

Norfolk, Virginia 23508

USPHS Hospital
1131 14th Ave. South
Seattle, Wash. 98114

USPHS Hospital
Bay Street and Vanderbilt Avenue
Staten Island, New York 10304

USPHS Hospital
15th Ave. & Lake St.
San Francisco, Calif. 94118

USPHS Outpatient Clinic
Switzer Bldg.
4th & C Sts., SW
Washington, D. C. 20201

USPHS Outpatient Clinic
1600 Clifton Rd., NE
Atlanta, Georgia 30333

09-15-0026

System name: Medical Fellowships and Educational Loans. DHEW/HSA/OA.

Security classification: None.

System location:

DHEW/HSA/OA/OFS - Rm. 16-23
Parklawn Bldg.
5600 Fishers Lane Rockville, Md. 20857
and Regional Federal Records Center.

Categories of individuals covered by the system: Private Citizens (Loan Applicants).

Categories of records in the system: Fellowship, Grants and Loans Applications.

Authority for maintenance of the system: Public Health Service Act Section 301 (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Retrievable by name. Purpose: To support accounting records of the Health Services Administration. Users: HSA Accounting Clerks, Accountants and Auditors.

Safeguards: File cabinets and normal Government building security.

Retention and disposal: Number of years held at HSA: 2 yrs. 1 yr warehouse. Number of years held at Federal Records Center before disposal: 7 yrs. How destroyed: in accordance with current regulations.

System manager(s) and address:

HSA-OA (HQ) Chief Accounting & Finance Branch
5600 Fishers Lane - Parklawn Bldg. Rm. 16-23
Rockville, Md. 20857

Notification procedure:

Director, Office of Management Policy, HSA
Rm. 13A39
5600 Fishers Lane
Rockville, Md. 20857

Record access procedures: Write to System Manager. Requesters should also reasonably specify the record contents being sought.

(These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Write to the System Manager and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Promissory note signed by the individual receiving the loan.

Systems exempted from certain provisions of the act: None.

09-15-0027

System name: National Health Service Corps (NHSC), Bureau of Medical Services (BMS) and Indian Health Services (IHS) Pre-Applicant Recruitment and Provider File HEW/HSA/BCHS.

Security classification: None.

System location:

Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

Categories of individuals covered by the system: NHSC volunteer or scholarship applicants who wish to be assigned to critical health manpower shortage areas; applicants who wish to be assigned to the Public Health Service Bureau of Medical Services; individuals who indicate an interest in an assignment at an Indian Health Service location.

Categories of records in the system: Employment data and preference for site-selection, personal and professional background information.

Authority for maintenance of the system: Public Health Service Act Section 329 (42 U.S.C. 254b); Section 321, 322 (42 U.S.C. 248, 249); Public Law 83-568 (42 U.S.C. 2001).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to a written inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Locked area and file cabinets, computer tape and disc, punched cards, and off-site storage.

Retrievability:

Purpose: Matching applicant for assignment to health manpower shortage areas most suited to their interests; matching applicants for assignments to PHS hospitals or to IHS locations.

Users: Used by Regional Offices, IHS Area Offices and Service Units to pre-negotiate assignments, and used PHS-wide for recruitment programs.

Retrievability: applicant name and number.

Safeguards: Locked area and file cabinets and used only by Recruitment Services Branch, NHSC staff and Regional Recruiters; BMS staff; IHS staff and Area recruiters. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Maintained for three years, then store historical tapes and destroy initial record.

System manager(s) and address:

Director, National Health Service Corps
Bureau of Community Health Services
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure: Write to System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Letters of inquiry; NHSC Site Selection Questionnaire For Physicians; NHSC Site Selection Questionnaire For Dentists; BMS Physician Questionnaire; IHS Medical Student and Physician Questionnaire; and Bureau of Health Manpower scholarship source tape.

Systems exempted from certain provisions of the act: None.

09-15-0028

System name: PHS Clinical Affiliation Trainee Records. HEW/HSA/BMS.

Security classification: None.

System location: See Appendices 1 and 2 to system notice 09-15-0007, Patients Medical Record System PHS Hospital/Clinics HEW/HSA/BMS.

Categories of individuals covered by the system: Students in PHS training programs or serving clinical affiliation in Public Health Service Hospitals and Clinics.

Categories of records in the system: Transcripts of past education application for training, training program staff and clinical supervisor evaluations and progress reports, course grades and evidence of completion of training requirements.

Authority for maintenance of the system: Public Health Service Act Sec. 321 (42 U.S.C. 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

To Educational Program staff of affiliated college/university to provide reports of student trainee's progress in training;

To prospective employers for professional reference;

To representatives of medical/allied health training program accreditation of PHS Training Programs;

To professional boards or associations to certify the students' progress in or completion of training as required for professional license, registration certification, etc.

To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Purpose: Communication between educational and supervisory staff for evaluation of trainee. Users: Director of Education at facility, Work and Staff Supervisors, Administration personnel. Retrievability: Alphabetically by last name.

Safeguards: Stored in locked files, access limited to authorized personnel.

Retention and disposal: Number of years held at HSA - Permanently.

System manager(s) and address:

Director
Division of Hospitals and Clinics
FCB #3, 6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: The individual should contact directly the PHS facility where training was received giving name, date of birth and approximate dates of training to allow positive identification of the record.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual, clinical supervisors, instructors, training program staff and administrative personnel of facility and affiliated college/university.

Systems exempted from certain provisions of the act: None.

09-15-0029

System name: PHS Beneficiary-Contract Medical/Health Care Records. HEW/HSA/BMS.

Security classification: None.

System location:

1. Director, Division of Hospitals and Clinics
Federal Center Bldg #3
6525 Belcrest Road
Hyattsville, MD 20782

2. Director, PHS Hospital responsible for supervision of the area
(See Appendix)

Categories of individuals covered by the system: Individuals (primarily American seamen) who are legally entitled to medical or health care by the Public Health Service and who have received medical or health care from health professionals or facilities under contract to the Public Health Service, Bureau of Medical Services.

Categories of records in the system: May include any or all of the following medical history, diagnostic (laboratory/X-ray, etc.) and treatment data, sociologic information, eligibility data including employment history, master's certificate, uniformed services information (employing services, service numbers, duty station, etc.).

Authority for maintenance of the system: PHS Act, Sections 321, 322, 326, (42 USC 248, 249, 253) PL 88-71, Section 1 (42 USC 253a)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made:

To a non-agency physician, medical facility or laboratory for continued care of the patient;

To Department of Transportation (U.S. Coast Guard), National Oceanic & Atmospheric Administration for reports of examination and/or treatment of that agency's personnel or dependents;

To the Veterans Administration to assist uniformed services personnel, retirees and veterans to obtain medical care or benefits;

To the Coast Guard for reports of American seamen found suffering from medical conditions that are hazardous to themselves or to others.

To a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter. (42 CFR Part 5b, Appendix B, item (4))

To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders in file cabinets or open shelves in locked rooms accessible only to personnel with a need-to-know.

Retrievability: Retrieved by name, uniformed service number which is the Social Security number, and/or Z number. Those rec-

ords indexed by SSN are retrieved in accordance with 7(a) (2) (B) of the Privacy Act. Used by contract professionals to provide medical care to the beneficiary and to report results of examination and/or treatment used by PHS personnel to verify eligibility and to audit care provided by the contracting professionals.

Safeguards: Filed in locked files or locked rooms in the contracting professional's office/facility. Records are accessible only to contractors or PHS professionals with a need-to-know for the performance of their official duties.

Retention and disposal: Retained in the contracting professional's facility files until the contract is terminated. Then turned over to the supervisory PHS facility for transmittal to a new contracting professional or storage at a Federal Records Center. When stored in a Federal Records Center, active duty uniformed services personnel records are stored for 50 years, other beneficiaries' records for 25 years. Destruction at that time is in accordance with standard practices of the Federal Records Center.

System manager(s) and address:

Director
Division of Hospitals and Clinics
Federal Center Building #3
6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Inquiries should be addressed to the PHS facility supervising the area where care has been obtained from a contract source. (See listing in Appendix). Individual must provide name, beneficiary category, date of birth, service number/Z number (if applicable) and name and location of source of contract care. An individual who requests notification of or access to a medical/dental record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department Regulations (45 CFR, Section 5b.6)).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)).

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7)).

Record source categories: Individual, employers, other medical care providers, families and social agencies.

Systems exempted from certain provisions of the act: None.

Appendix

HOSPITAL

Director, USPHS Hospital
3100 Wyman Park Drive
Baltimore, Maryland 21211

Delaware, District of Columbia, Illinois, Indiana, Iowa
Maryland, Michigan, Minnesota, Ohio, Pennsylvania, West
Virginia
Wisconsin

Director, USPHS Hospital
77 Warren Street
Boston (Brighton), MA 02135

Connecticut, Maine, Massachusetts, New Hampshire, Rhode
Island, Vermont

Director, USPHS Hospital
2050 Space Park Drive
Nassau Bay, TX 77058

Colorado, Kansas, New Mexico, Oklahoma, Texas

Director, USPHS Hospital
6500 Hampton Boulevard
Larchmont
Norfolk, VA 23508

Georgia, North Carolina, South Carolina, Virginia

Director, USPHS Hospital

210 State Street
New Orleans, LA 70118

Alabama, Arkansas, Canal Zone, Florida, Kentucky, Louisiana,
Mississippi, Missouri, Puerto Rico, Tennessee, Virgin Islands
Director, USPHS Hospital
15th Ave. & Lake Street
San Francisco, CA 94118

Arizona, California, Hawaii, Nevada, Utah

Director, USPHS Hospital
P.O. Box 3145 or
1131 14th Avenue South
Seattle, WA 98144

Alaska, Idaho, Montana, Nebraska, North Dakota, Oregon,
South Dakota, Washington, Wyoming

Director, USPHS Hospital
Bay Street & Vanderbilt Avenue
Staten Island, NY 10304

New Jersey, New York

09-15-0034

System name: Health Care Provider Profile HEW/HSA/BMS.

Security classification: None.

System location: See Appendix.

Categories of individuals covered by the system: Physicians, dentists, other health care persons in PHS facilities who have primary responsibility for assessing condition of the patient, exercising independent judgment as to the care of the patient, and rendering service during a patient encounter.

Categories of records in the system: Assignment data, demographic data, education, training and experience, specialty boards, record of continuing education credit.

Authority for maintenance of the system: Public Health Service Act, Section 321 (42 USC 248).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

3. Disclosure may be made to evaluation teams of the Joint Commission on Accreditation of Hospitals for hospital accreditation purposes only.

4. Records may be disclosed to the Professional Standards Review Organizations (PSRO) review boards for evaluation of services covered by Medicare, Medicaid, and Maternal and Child Health programs.

5. The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records. Departmental Regulations (45 CFR, part 5b) Appendix B, Item (9)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy, computer printouts and magnetic tape.

Retrievability: The records are retrieved by the Provider Identification Number (PIN).

The records in this system are used to establish a research base for evaluation of alternative review mechanisms similar to PSROs to determine efficacy of medical care. This is a cooperative study with the National Center for Health Services Research.

Safeguards: Manual files in this system of records are stored in locking file units. Only authorized personnel have access to the data.

For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g., security codes) are used. Access is limited to authorized personnel.

Retention and disposal: Records are maintained one year after the health care provider leaves the Bureau of Medical Services, Division of Hospitals and Clinics' service. Destruction will be by shredding of the hard copy or erasing of the tape.

System manager(s) and address:

Director
Division of Hospitals and Clinics
Bureau of Medical Services
6525 Belcrest Road
Hyattsville, Maryland 20782

Notification procedure: Write to the system manager to determine if a record exists.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Departmental Regulations (45 CFR, 5b.5 (a)(2)).

Contesting record procedures: Write to the official at the address specified under the notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with Departmental Regulations (45 CFR, 5b.7).

Record source categories: Health care professionals assigned to the PHS general hospitals and outpatient clinics as listed in Appendix 1.

Systems exempted from certain provisions of the act: None.

Appendix 1

Director, USPHS Hospital
3100 Wyman Park Drive
Baltimore, MD 21211

Director, USPHS Hospital
77 Warren Street
Boston (Brighton), MA 02135

Director, USPHS Hospital
2050 Space Park Drive
Nassau Bay, TX 77058

Director, USPHS Hospital
210 State Street
New Orleans, LA 70118

Director, USPHS Hospital
6500 Hampton Boulevard
Larchmont, Norfolk, VA 23508

Director, USPHS Hospital
15th Avenue and Lake Street
San Francisco, California 94118

Director, USPHS Hospital
Box 3145 or 1131
14th Avenue South
Seattle, WA 98114

Director, USPHS Hospital
Bay Street and Vanderbilt Avenue
Staten Island, NY 10304

Director, USPHS Hospital
Carville, LA 70721

Director, USPHS Outpatient Clinic
1600 Clifton Road NE
Atlanta, GA 30333

Director, USPHS Outpatient Clinic
Switzer Building, 4th and C Streets, SW
Washington, DC 20201 /*

Billing Code 4110-84-M

09-10-0001

System name: Quality Assurance Program—HEW/FDA/EDRO

Security classification: None.

System location: Each FDA Field/District Office and EDRO Headquarters Office (see Appendix A).

Categories of individuals covered by the system: FDA employees who conduct inspections.

Categories of records in the system: Contains name, supervisor's evaluation of inspection reports, and notes of conversations or observations.

Authority for maintenance of the system: Section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374) authorizes inspections; 1968 directive of Executive Director of Regional Operations, FDA, requires program to assure uniform, high quality inspections.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders in supervisor's files.

Retrievability: Indexed by name, used to inform employee of results of the review of Establishment Inspection Reports.

Safeguards: Maintained in locked containers in secured area. Building secured when not occupied.

Retention and disposal: Records are retained as long as individual is an employee. Held 1 year then destroyed.

System manager(s) and address: Individual Supervisor (investigational) at Field/District Offices and Chief, Management Studies Staff, Associate Director for Administration, EDRO (see Appendix A).

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Supervisor, based on review of Establishment Inspection Reports completed by individual inspector.

Systems exempted from certain provisions of the act: None.

Appendix A—Addresses and working hours of the Food and Drug Administration Field Offices.

The following is a list of the Food and Drug Administration Field Offices, their addresses and working hours where individuals may have access to records in Food and Drug Administration Privacy Act Record Systems:

Boston District Office, Region I, 585 Commercial St., Boston, Massachusetts 02109, Office hours: 8 a.m. to 4:30 p.m.

New York District Office, Region II, 850 3rd Ave., Brooklyn, New York 11232, Office hours: 8 a.m. to 4:30 p.m.

Buffalo District Office, Region II, 599 Delaware Ave., Buffalo, New York 14202, Office hours: 8 a.m. to 4:30 p.m.

Newark District Office, Region II, 20 Evergreen Place, East Orange, New Jersey 07018, Office hours: 8 a.m. to 4:30 p.m.

San Juan District Office, Region II, P. O. Box S-4427, San Juan Station, San Juan, Puerto Rico 00905, Office hours: 8:30 a.m. to 4:30 p.m.

Philadelphia District Office, Region III, 2nd and Chestnut St., Rm. 900, Philadelphia, Pennsylvania 19106, Office hours: 8 a.m. to 4:30 p.m.,

Baltimore District Office, Region III, 900 Madison Ave., Baltimore, Maryland 21201, Office hours: 8 a.m. to 4:30 p.m.

Atlanta District Office, Region IV, 880 Peachtree St., NW., Atlanta, Georgia 30309, Office hours: 8 a.m. to 4:30 p.m.

Nashville District Office, Region IV, 297-Plus Park Blvd., Nashville, Tennessee 37127, Office hours: 8 a.m. to 4:30 p.m.

Orlando District Office, Region IV, P. O. Box 118, Orlando, Florida 32802, Office hours: 8 a.m. to 4:30 p.m.

Chicago District Office, Region V, 433 W. Van Buren St., Rm. 1222, Chicago, Illinois 60607, Office hours: 8 a.m. to 4:30 p.m.

Cincinnati District Office, Region V, 1141 Central Pkwy., Cincinnati, Ohio 45202, Office hours: 8 a.m. to 4:30 p.m.

Detroit District Office, Region V, 1560 E. Jefferson Ave., Detroit, Michigan 48207, Office hours: 8 a.m. to 4:30 p.m.

Minneapolis District Office, Region V, 240 Hennepin Ave., Minneapolis, Minnesota 55401, Office hours: 8 a.m. to 4:30 p.m.

Dallas District Office, Region VI, 3032 Bryan St., Dallas, Texas 75204, Office hours: 8 a.m. to 4:30 p.m.

New Orleans District Office, Region VI, 4298 Elysian Fields Avenue, New Orleans, Louisiana 70122, Office hours: 8 a.m. to 4:30 p.m.

Kansas City Field Office, Region VII, 1009 Cherry St., Kansas City, Missouri 64106, Office hours: 8 a.m. to 4:30 p.m.

Denver Field Office, Region VIII, 721 19th St., U.S. Customhouse, Denver, Colorado 80202, Office hours: 8 a.m. to 4:30 p.m.

San Francisco District Office, Region IX, 50 Fulton St., Rm. 518, San Francisco, California 94102, Office hours: 8 a.m. to 4:30 p.m.

Los Angeles District Office, Region IX, 1521 W. Pico Blvd., Los Angeles, California 90015, Office hours: 8 a.m. to 4:30 p.m.

Seattle Field Office, Region X, 909 1st Ave., Rm. 5003, Seattle, Washington 98104, Office hours: 8 a.m. to 4:30 p.m.

Winchester Engineering and Analytical Center, 109 Holton Street, Winchester, Mass. 01890, Office hours: 8 a.m. to 4:30 p.m.

09-10-0002

System name: Regulated Industry Employee Enforcement Records—HEW/FDA/ACMO.

Security classification: None.

System location: Administrative Services Branch, Associate Commissioner for Management and Operations, 5600 Fishers Lane, Rockville, MD 20857 Field/District Offices (see Appendix A to system notice 09-10-0001, Quality Assurance Program HEW/FDA/EDRO.)

Categories of individuals covered by the system: Employees of enterprises regulated by FDA and other individuals subject to FDA enforcement actions.

Categories of records in the system: Includes correspondence, memoranda, inspection reports, and other documents that are investi-

gatory material compiled for law enforcement purposes, including criminal law enforcement purposes.

Authority for maintenance of the system: Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), the Public Health Service Act (42 U.S.C. 201 et seq.), and authority delegated to the Commissioner, 21 CFR Part 5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records that indicate violation or potential violation of law may be (1) referred for investigation and possible enforcement action under the Federal, State, or foreign laws to the Department of Justice, an appropriate State food and drug enforcement health agency or licensing authority, or the government of a foreign country or (2) disclosed in administrative or court proceedings.

Where the appropriate official of the Department, pursuant to the Department's Freedom of Information Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records. (Department regulation 45 CFR 5b, Appendix B, item(8).)

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files are maintained in letter-size folders. Part of FDA's general records on regulated establishments.

Retrievability: Indexed by company or subject, sometimes with individual name in card cross-index. There is also an automated index to this system. Records are used by FDA employees in investigations of possible violations of the law. FDA regulatory records lacking individual name indexes, such as its case file, and administrative files (AF), are not part of this system.

Safeguards: All files are stored in locked cabinets in a secured area. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address: Chief, Administrative Services Branch, Associate Commissioner for Management and Operations, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)). Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. Access procedures regarding exempt systems of records are in accordance with Department regulations (45 CFR, 5b(11)(c) and (d)).

Contesting record procedures: If access has been granted, write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained, from third parties such as consumers, scientists, representatives of other companies, State agencies, or developed by FDA during investigations for law enforcement purposes.

Systems exempted from certain provisions of the act: This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d)(1) to (4), (e)(3), (e)(4)(G) to (H) and (f) to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes.

09-10-0003

System name: FDA Credential Holder File--HEW/FDA/EDRO.

Security classification: None.

System location: FDA Employees: Services Management Section, Associate Commissioner for Management and Operations, Rm. 4C-21, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857; Office Services Section, Associate Commissioner for Management and Operations, Rm. B-002, FB-8, 200 C St., SW., Washington, D. C. 20204; and Administrative Branches at Field/District Offices (see Appendix A). State Employees: Division of Federal-State Relations (HFO-30), Rm. 15A-07, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20857 and Administrative Branches at Field/District Offices. (See Appendix A to system notice 09-10-0001, Quality Assurance Program, HEW/FDA/EDRO.)

Categories of individuals covered by the system: FDA employees and State and local government employees who have been issued FDA credentials for enforcement activities.

Categories of records in the system: Contains name, job title, social security number, sex, height, weight, date of birth, color of eyes and hair, duty status, and for State and local government employees, professional qualifications.

Authority for maintenance of the system: Sections 702 to 704, the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372 to 374).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be disclosed to provide assurance to regulated enterprises that an individual is a duly designated enforcement officer and, in the case of State employees, an officer commissioned as an officer of the Department.

Used to gain entry to regulated establishments.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders or card files.

Retrievability: Indexed by name, used to issue or reissue credentials.

Safeguards: Masterfile is in locked containers in secured area.

Retention and disposal: Records are retained as long as individual is a duly designated or commissioned official; inactive files destroyed after 6 months.

System manager(s) and address: FDA Employees: Chief, Services Management Section, Associate Commissioner for Management and Operations, (HFA-212), 5600 Fishers Lane, Rockville, MD 20857; Chief, Office Services Section, Associate Commissioner for Management and Operations, Rm. B-002, FB-8, 200 C St., SW., Washington, DC 20204; and Appendix A on Quality Assurance Program-FDA 09-10-0001 System). State Officers of Field/District Offices. (See Appendix A to system notice 09-10-001, Quality Assurance Program HEW/FDA/EDRO.) Employees: Director, Division of Federal-State Relations (HFO-30), 5600 Fishers Lane, Rockville, MD 20857 and Administrative Officers at Field/District Offices (See Appendix A to system notice 09-10-0001, Quality Assurance Program HEW/FDA/EDRO.)

To determine if a record exists, write to FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane

Rockville, MD 20857 State officials should provide State of employment.

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained.

Systems exempted from certain provisions of the act: None.

09-10-0004

System name: Communications (Oral and Written) With the Public. HEW/FDA/ACMO

Security classification: None.

System location: Administrative Services Branch, Associate Commissioner for Management and Operations; Office of Legislative Services; 5600 Fishers Lane, Rockville, MD 20857; FDA Field/District Offices. (See Appendix A to system notice 09-10-0001, Quality Assurance Program HEW/FDA/EDRO.)

Categories of individuals covered by the system: Individuals, other than employees of enterprises regulated by FDA, who communicate with FDA or, in some cases, are the subject of communications by others with FDA; for example, correspondence by members of Congress writing to FDA on their behalf.

Categories of records in the system: Includes correspondence from and to individuals, summaries of conversations prepared by FDA employees, and records prepared by FDA as a follow-up to consumer complaints, oral and written.

Authority for maintenance of the system: Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.); the Public Health Service Act (42 U.S.C. 201 et seq.), and authority delegated to the Commissioner (21 CFR 5.1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records that indicate violation or potential violation of law may be disclosed in administrative or court proceedings.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR Part 5b, Appendix B item (1)).

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR Part 5b, Appendix B item (5)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual files are maintained in letter-size folders.

Retrievability: Used by FDA employees in carrying out their responsibilities, e.g., responding to follow-up correspondence on complaints, requests for information, etc. Administrative Services Branch files include copies of correspondence received from public and FDA reply. Records are arranged by company or by subject. A card index gives correspondent's name, date of letter, subject and location. An automated index is being implemented. The Office of Legislative Services maintains duplicates of letters FDA sends to members of Congress and summaries of oral inquiries in files organized by members' names. The Office of Legislative Services maintains a manual control system and the Executive Secretariat, Office of the Commissioner, maintains an automated control system of pending correspondence needing reply. Field offices file consumer complaints by complainants' names.

Safeguards: All files are stored in locked cabinets in secured areas.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address: Chief, Administrative Services Branch, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857; Director, Office of Legislative Services, 5600 Fishers Lane, Rockville, MD 20857; Regional or Deputy Regional Food and Drug Directors in FDA Field/District Offices (See Appendix A to system notice 09-10-0001, Quality Assurance Program HEW/FDA/EDRO.)

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HF1-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained or others (generally members of Congress) who write to FDA about them.

Systems exempted from certain provisions of the act: None.

09-10-0005

System name: State Food and Drug Official File-HEW/FDA/EDRO.

Security classification: None.

System location: Division of Federal-State Relations, (HFO-30), 5600 Fishers Lane, Rockville, MD 20857

Categories of individuals covered by the system: State Officials who have responsibilities related to those of the Food and Drug Administration.

Categories of records in the system: Contains name, date of birth, education and professional experience.

Authority for maintenance of the system: Section 702(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372(a)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders.

Retrievability: Indexed by name and State.

Safeguards: Maintained in locked files with correspondence by States.

Retention and disposal: Records are retained as long as individual is a State employee or until updated by the individual.

System manager(s) and address: Director, Division of Federal-State Relations, (HFO-30), 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure: To determine if a record exists, write to:
FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane, Rockville, MD 20857 Provide name and State of employment.

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained.

Systems exempted from certain provisions of the act: None.

09-10-0006

System name: Radiation Registry of Physicians--HEW/FDA/BRH.

Security classification: None.

System location: Division of Biological Effects, Bureau of Radiological Health, Rm. 38, Twinbrook Research Laboratory, 12709 Twinbrook Pkwy., Rockville, MD 20857.

Categories of individuals covered by the system: Radiologists and Pathologists who were members of American College of Radiology or College of American Pathologists between 1961 and 1972.

Categories of records in the system: Contains ID number, name, demographic characteristics, radiation exposure history, medical history of conditions affected by radiation, and date and cause of death, if deceased.

Authority for maintenance of the system: Section 356 of the Public Health Service Act (42 U.S.C. 263d) as amended by Pub. L. 90-602, the Radiation Control for Health and Safety Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be matched with outside agencies/educational institutions to obtain additional epidemiological, medical, and mortality information.

Information may be disclosed to individuals and organizations deemed qualified by the Secretary to carry out specific research solely for the purpose of carrying out such research. (45 CFR Part 5b, Appendix B item (101)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders, magnetic tape, and punch cards.

Retrievability: Indexed by ID number. An individual identifier index is maintained separate from the data. Used for statistical analysis of compiled data for epidemiologic studies of long term effects of chronic exposure to low levels of ionizing radiation.

Safeguards: Basic data identified by number only are stored in unlocked cabinets in a secured file area. The individual identifier index is stored in a locked cabinet.

Retention and disposal: Records are retained as long as there is a foreseeable need for additional research and data analysis.

System manager(s) and address: Chief, Biometric Section, Division of Biological Effects, Bureau of Radiological Health, Rm. 38, Twinbrook Research Laboratory, 12709 Twinbrook Pkwy., Rockville, MD 20852. Mailing address: 5600 Fishers Lane, Rockville, MD 20857.

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)

Food and Drug Administration

5600 Fishers Lane

Rockville, MD 20857

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department regulations (45 CFR, Section 5b.6).)

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained and death certificates.

Systems exempted from certain provisions of the act: None

09-10-0007

System name: Science Advisor Research Associate Program (SARAP)--HEW/FDA/EDRO.

Security classification: None.

System location: Field Sciences Branch, Division of Field Operations, Executive Director of Regional Operations, 5600 Fishers Lane, Rockville, MD 20857

Categories of individuals covered by the system: FDA field personnel who have applied to participate in full-time research effort under the program.

Categories of records in the system: Contains name, curriculum vitae, description of research proposal, budget, and statement of career goals.

Authority for maintenance of the system: Guidelines for Implementation and Operation of the Science Advisor Research Associate Program and Field Research Program, dated July 1, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders.

Retrievability: Indexed by name, used to monitor the progress of research objectives of approved individual SARAP research projects. Used by the SARAP Committee and knowledgeable persons in the specific field. Access limited to authorized agency personnel.

Safeguards: Files are maintained in secured file containers or in secured file area.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address: Director, Field Sciences Branch, Division of Field Operations, Executive Director of Regional Operations, 5600 Fishers Lane, Rockville, MD 20857

Notification procedure: To determine if a record exists, write to:
 FDA Privacy Coordinator (HFI-30)
 Food and Drug Administration
 5600 Fishers Lane
 Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained.

Systems exempted from certain provisions of the act: None

09-10-0008

System name: Radiation Protection Program Personnel Monitoring System--HEW/FDA/BRH.

Security classification: None.

System location: Office of Health Affairs, Bureau of Radiological Health, (HFX-24), 1901 Chapman Ave., Rockville, MD 20857, and at the location of a selected qualified contractor who provides thermoluminescent badge service on an annual bid basis.

Categories of individuals covered by the system: Personnel in clinics, laboratories, hospitals, industrial plants, etc., who work with ionizing radiation sources required to be monitored by Nuclear Regulatory Commission regulations.

Categories of records in the system: Contains name, date of birth, social security account number, job code, period of exposure, effective date, and radiation exposure value.

Authority for maintenance of the system: Atomic Energy Act of 1954 (68 Stat. 919 et seq.). Nuclear Regulatory Commission Regulations, 10 CFR Part 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Results are disclosed to employers, i.e., clinics, laboratories, etc.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders and on IBM cards.

Retrievability: Indexed by name and by facility. Used to monitor incremental and accumulated exposure to ionizing radiation for radiation protection purposes.

Safeguards: Filed in secured containers or in secured file area. Access limited to authorized agency and contractor personnel. The contractor is required to maintain confidentiality safeguards with respect to these records.

Retention and disposal: Records are retained as long as individual is a part of the program. Held 1 year in an inactive status. Held in storage thereafter indefinitely.

System manager(s) and address: Radiation Safety Officer, FDA, (HFX-24), Mailing Address: 5600 Fishers Lane, Rockville, MD 20857

Notification procedure: To determine if a record exists, write to:
 FDA Privacy Coordinator (HFI-30)
 Food and Drug Administration
 5600 Fishers Lane
 Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought.

(These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained.

Systems exempted from certain provisions of the act: None.

09-10-0009

System name: Individual and Household Statistical Surveys and Special Studies on FDA-Regulated Products--HEW/FDA/ACMO.

Security classification: None.

System location: Negotiated Contracts Branch, Associate Commissioner for Management and Operations, (HFA-510), 5600 Fishers Lane, Rockville, MD 20857, and at the location of a selected, qualified contractor.

Categories of individuals covered by the system: Individuals, specialty groups, (e.g., physicians) and households participating voluntarily in FDA-sponsored surveys and studies.

Categories of records in the system: Data collected vary with each survey. Normal standard information for individuals or household members varies but could include name, age, sex, marital status, address or locale of residence, etc. Nondemographic items relate to experience with or opinions about a particular product.

Authority for maintenance of the system: Section 701(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Questionnaires are filed in standard filing equipment. Statistical data are stored on magnetic tape.

Retrievability: Accessed by ID number assigned by contractor during collection process. Individual files are maintained in agency and contractor's custody until all collection procedures are completed.

Safeguards: Questionnaires are maintained in locked containers in secured area. Magnetic tapes are maintained in secure computer facility with access limited to program analysts only. All employees are subject to the restrictions, penalties, and prohibitions of applicable FDA regulations governing the confidentiality of the data. The contractor is required to maintain confidentiality safeguards with respect to these records.

Retention and disposal: Questionnaires are retained until all statistical problems are resolved then destroyed.

System manager(s) and address: Chief, Negotiated Contracts Branch, (HFA-510), 5600 Fishers Lane, Rockville, MD 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)
 Food and Drug Administration
 5600 Fishers Lane
 Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested.

(These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained or patient's medical records, depending on the type of survey or study.

Systems exempted from certain provisions of the act: None.

09-10-0010

System name: Bioresearch Monitoring Information System--HEW/FDA/BD.

Security classification: None.

System location: Division of Scientific Investigations, (HFD-180), Bureau of Drugs, 5600 Fishers Lane, Rockville, MD 20857

Categories of individuals covered by the system: Clinical investigators who are conducting or have conducted clinical studies of new drugs under investigational new drug exemption requests.

Categories of records in the system: Automated file is maintained on all clinical investigators; contains name, education, professional qualifications, and background, and information on studies being conducted. Manual file contains, in addition to that same information, investigatory material collected or developed by FDA, during investigations of possible violations of statutes and regulations governing new drug studies.

Authority for maintenance of the system: Section 505(i)(3), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)(3)); 21 CFR Part 312 (New drugs for investigational use).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records that indicate violation or potential violation of law may be (1) referred for investigation and possible enforcement action under the Federal, State, or foreign laws to the Department of Justice, an appropriate State food and drug enforcement agency or licensing authority, or the government of a foreign country where studies are being or have been conducted, or (2) disclosed in administrative or court proceedings.

Where the appropriate official of the Department, pursuant to the Department's Regulation determines that it is in the public interest to disclose a record which is otherwise exempt from mandatory disclosure, disclosure may be made from this system of records. (Department regulation 45 CFR 5b, Appendix B, item (8)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files compiled of investigations of possible violations of statutes and regulations are maintained in letter-size manila folders. Automated file is maintained on magnetic tape.

Retrievability: Indexed by name, used to provide controls to assure that investigators meet requirements of statute or regulations.

Safeguards: All files, including printout and computer output microfilm, are stored in locked cabinets in secured areas. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) are used, limiting access to authorized personnel.

Retention and disposal: Records output from the system for referenced printout or computer output microfilm are retained for one update cycle, or quarterly. Disposal of records is accomplished through a disintegrator.

System manager(s) and address: Director, Division of Scientific Investigations (HFD-180), Bureau of Drugs, 5600 Fishers Lane, Rockville, MD 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with FDA Regulations (21 CFR 21.40)). Access to record systems which have been granted an exemption from the Privacy Act requirement may be made at the discretion of the system manager. Access procedures regarding exempt systems of records are in accordance with Department regulations 45 CFR 5b.11 (c) and (d).

Contesting record procedures: If access has been granted, Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained. Some material is obtained from third parties, e.g., drug companies, publications, or is developed by FDA.

Systems exempted from certain provisions of the act: This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d)(1) to (4), (e)(3), (e)(4)(G) to (H) and (f) to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes.

09-10-0011

System name: Certified Retort Operators--HEW/FDA/BF.

Security classification: None.

System location: Division of Food Technology, Bureau of Foods, Rm. 4029, FB-8, 200 C St., SW, Washington, DC 20204.

Categories of individuals covered by the system: Food industry employees who have attended courses of instruction relating to operation of retorts.

Categories of records in the system: Contains name and training records.

Authority for maintenance of the system: Section 404 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 344); 21 CFR 128b.10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Absence of records in this system showing that a low-acid canned food establishment did not have canning operations under the supervision of a certified retort operator may be (1) referred for investigation and possible enforcement action against the company and responsible officials, to the Department of Justice, or appropriate State food and drug law enforcement agencies, or (2) disclosed in administrative or court proceedings.

Most records in the system may be disclosed (1) under the Freedom of Information Act (5 U.S.C. 522), or (2) a food company may be advised whether an individual has satisfied FDA requirements.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard filing equipment and magnetic tape.

Retrievability: Indexed by name, used to ascertain program progress.

Safeguards: Magnetic tapes are stored in locked containers in secured area. Individual printouts/original hard copy records are stored in regular administrative files, maintained in secured file area or secured file containers.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address: Director, Division of Food Technology (HFF-400), Rm. 4029, FB-8, 200 C St., SW., Washington, DC 20204.

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations 21 CFR (21.50)).

Record source categories: Educational institutions that conduct retort operator training.

Systems exempted from certain provisions of the act: None.

09-10-0012

System name: Association of Official Analytical Chemists (AOAC) Member File-HEW/FDA/AOAC.

Security classification: None.

System location: FDA Liaison Office for AOAC, Rm. 3848, FB-8, 200 C St., SW, Washington, DC 20204.

Categories of individuals covered by the system: AOAC Committee members, Subcommittee members, Referees and Associate Referees (employed by FDA, related Federal or State agencies, universities, or regulated industry). Shows individuals involved in AOAC scientific activities, e.g., developing methods for determining adulteration of food, drugs, etc.

Categories of records in the system: Contains name, address, telephone number, and area of study.

Authority for maintenance of the system: Section 702(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372(a)); section 301 of the Public Health Service Act (42 U.S.C. 241).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provided to Department of Agriculture, Environmental Protection Agency, and the various State agencies that have an interest in development of official analytical methods.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter-size manila folders, card file, and magnetic tape.

Retrievability: Indexed by name, used to provide a service for AOAC on its committees. Primary use of the system is the preparation of an annual publication listing AOAC projects; used as mailing list and to identify individuals who may be asked to assist FDA.

Safeguards: Masterfile is in locked containers in secured area. Individual files are maintained with other administrative files.

Retention and disposal: Records are retained as long as an individual is a participating member, then destroyed.

System manager(s) and address: FDA Liaison Officer for AOAC Rm. 3848, FB-8, 200 C St., SW, Washington, DC 20204.

Notification procedure: To determine if a record exists, write to:

FDA Privacy Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individual on whom the record is maintained.

Systems exempted from certain provisions of the act: None.

09-10-0013

System name: Employee Conduct Investigative Records - HEW/FDA/ACMO.

Security classification: None.

System location:

Policy Management Staff, Associate Commissioner for
Management and Operations, FDA
(HFA-20), 5600 Fishers Lane
Rockville, MD 20857

Categories of individuals covered by the system: Employees or former employees, or special Government employees of FDA who are alleged to have violated FDA or Departmental regulations and/or Federal statutes.

Categories of records in the system: This system includes records relating to correspondence concerning an individual's employment status or conduct while employed by FDA. Examples of these records include: correspondence from employees, Members of Congress, and members of the public alleging misconduct by an official of FDA. It also contains reports of investigation to resolve allegation of misconduct or violation of statute, with related exhibits of statements, affidavits or records obtained during the investigation; reports of action taken by management deciding action on any misconduct substantiated by the investigation; and reports of legal action resulting from violations of statutes referred for prosecution.

Authority for maintenance of the system: 5 U.S.C. 301; Title 18, U.S.C. (e.g., 18 U.S.C. 201, 203, 205, 207, 208, 209, 1905); 21 U.S.C. 331; 28 U.S.C. 535(b); 44 U.S.C. 3101; E.O. 10450 and 11222; 45 CFR Part 73.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR Part 5b, Appendix B item (1)).

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR Part 5b, Appendix B item (5)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records, in folders, in file cabinets.

Retrievability: Alphabetical by name. Used within FDA for providing management with information needed to take action on complaints or alleged violations. May be referred to Office of Investigations and Security, Office of the Secretary, HEW.

Safeguards: Records are maintained in locked file cabinets within a locked file room or in a safe within a secured area.

Retention and disposal: Records are retained until death of subject individual.

System manager(s) and address:

Director, Policy Management Staff
HFA-20,
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Act Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)). Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the system manager. Access procedures regarding exempt systems of records are in accordance with Department regulations (45 CFR 5b.11 (c) and (d)).

Contesting record procedures: If access has been granted, write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Information in this system of records is obtained from FDA personnel and records, subjects of investigations, complaints, witnesses, other Federal agencies, State and local agencies, and personal observation by the investigator.

Systems exempted from certain provisions of the act: This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3); (d)(1) to (4), (e)(3), (e)(4)(G) to (H), and (f)) to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes, or investigatory material that would reveal confidential sources compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information.

09-10-0014

System name: Service Contractor Employee Investigative Records.
HEW/FDA/ACMO.

Security classification: None.

System location:

Policy Management Staff, Associate Commissioner for
Management and Operations, FDA
(HFA-20),
5600 Fishers Lane
Rockville, MD 20857

Categories of individuals covered by the system: Employees of service contractors who must have access to FDA secured areas or FDA file material; employees of contractors who provide janitorial, guard and maintenance services for FDA facilities.

Categories of records in the system: This system includes records of pre-employment checks of individuals who have access to FDA facilities during security hours and correspondence concerning an individual's employment status or conduct while having such access. Examples of such correspondence include Reports of Investigations to resolve allegations of misconduct or of violations of law, with related exhibits of statements, affidavits or records obtained during the investigation; reports of action taken by management deciding action on any misconduct substantiated by the investigation; and reports of legal action resulting from violations of statutes referred for prosecution.

Authority for maintenance of the system: 5 U.S.C. 301; Title 18, U.S.C. (e.g., 18 U.S.C. 1905); 21 U.S.C. 331; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR Part 5b, Appendix B item (1)).

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether state or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (45 CFR Part 5b, Appendix B item (5)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records, in folders, in file cabinets.

Retrievability: Alphabetical by name. Used by the Food and Drug Administration to determine if the employees of service contractors shall have access to FDA facilities. Used within FDA for providing management with information to take action on complaints or alleged violations. May be referred to the Office of Investigations and Security, Office of the Secretary, HEW.

Safeguards: Records are maintained in locked file cabinets within a locked file room or in a safe within a secured area.

Retention and disposal: Records are retained until death of subject individual.

System manager(s) and address:

Director, Policy Management Staff
HFA-20,
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Act Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)). Access to record systems which have been granted an exemption from the Privacy Act access requirement may be made at the discretion of the System Manager. Access procedures regarding exempt systems of records are in accordance with Department regulations (45 CFR 5b.11(c) and (d)).

Contesting record procedures: If access has been granted, write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Information in this system of records is obtained from industrial, employment and police records, subjects of investigations, complaints, witnesses, other Federal agencies, State and local agencies, and personal observation by the investigator.

Systems exempted from certain provisions of the act: This system is exempt from access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d)(1) to (4), (e)(3), (e)(4)(G) to (H), and (f)) to the extent that it includes investigatory material compiled for law enforcement purposes, including criminal law enforcement purposes, or investigatory material that would reveal confidential sources compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information.

09-10-0015

System name: Blood Donors for Tissue Typing Sera and Cell Analysis and Related Research—HEW/FDA/BB.

Security classification: None.

System location:

Histocompatibility Laboratory, Division of Blood and Blood Products
Bureau of Biologics
Food and Drug Administration
8800 Rockville Pike
Bethesda, Md. 20014

Categories of individuals covered by the system: Volunteer blood donors and patients of the National Naval Medical Center and the National Institutes of Health Clinical Center requiring tissue typing who also volunteer to be part of the system.

Categories of records in the system: Records contain name, address, phone number, sex, race, age, disease (if any), number of pregnancies, number of children, and the results of blood typing.

Authority for maintenance of the system: Public Health Service Act, section 351, 42 U.S.C. 262, which requires that all biologic products intended for human use must meet certain safety, purity and potency standards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: On occasion, the National Institutes of Health Clinical Center and the National Naval Medical Center request that the Bureau perform tissue typing for their patients. In these instances, it is, of course, necessary to provide the physician involved with precise data to properly identify the patient.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Disclosure may be made to the Department of Justice or other appropriate Federal agencies in defending claims against the United States when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual (Appendix B, Departmental Regulations (45 CFR Part 5b, Item 100)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Standard filing equipment, magnetic tapes, and disks.

Retrievability: Usually by an assigned "cell number." Also, alphabetically, by name. The purpose of this system of records is to provide data to be used in evaluating histocompatibility testing sera submitted by manufacturers for approval and release on the market. Identifiable records are used only within the Agency except as noted above under Routine Uses.

Safeguards: Forms in locked filing equipment. Tapes and disks in secure computer facility with access limited to individuals having knowledge of "password" which is changed periodically.

Retention and disposal: Records may be retired to a Federal Records Center and subsequently disposed of in accordance with FDA's Records Control Schedule. The Records Control Schedule may be obtained by writing to the system manager at the address below.

System manager(s) and address:

Dr. Kamal K. Mittal
Histocompatibility Laboratory
Division of Blood and Blood Products
Bureau of Biologics
8800 Rockville Pike
Bethesda, Md. 20014

To determine if a record exists, write to:
FDA Privacy Act Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20857

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These notification and access procedures are in accordance with Department regulations (45 CFR, section 5b.6).)

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Volunteer blood donors and patients of the National Naval Medical Center and the National Institutes of Health Clinical Center.

Systems exempted from certain provisions of the act: None.

09-10-0016

System name: Cancer Patients on Laetrile and Physicians - HEW/FDA/BD.

Security classification: None.

System location:

Litigation and Recall Staff
Associate Director for Compliance
Bureau of Drugs
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20857

Categories of individuals covered by the system: Cancer patients and their medical doctors who supervise the Laetrile treatment.

Categories of records in the system: A separate index card is established for each terminal cancer patient and each medical practitioner, containing their name and complete address. The patient index card also contains the name of the patient's doctor and the import entry number(s) covered by the affidavit. The doctor's card lists all patients by import entry number. The patient's card may contain other information, such as the discontinuance of the patient from the program, phone numbers, change of doctors, or any other information as appropriate to facilitate compliance with Federal court orders which permitted the importation of an unapproved experimental drug, Laetrile, upon a notarized affidavit that a cancer patient will receive it under the supervision of a doctor of medicine. Copies of the affidavits are received at the Bureau of Drugs; each affidavit contains the names of the patient and doctor, and usually the address of both.

Authority for maintenance of the system: The Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 372.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records that indicate violation or potential violation of law may be (1) referred for investigation and possible enforcement action under the Federal, State, or foreign laws to the Department of Justice, an appropriate State food and drug enforcement health agency or licensing authority, or the government of a foreign country or (2) disclosed in administrative or court proceedings.

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On index cards in boxes.

Retrievability: Alphabetically, by name. The index cards are used to record information from affidavits and then used to spot check compliance with the court order concerning Laetrile.

Safeguards: Index cards are kept in the work area of the Litigation and Recall Staff. This area is locked outside of normal working hours and accessible only by authorized personnel during working hours.

Retention and disposal: No longer than 3 years after the system is established; disposal will be made by shredding or tearing and dumping the residue into trash containers.

System manager(s) and address:

Associate Director for Compliance (HFD-300)
Bureau of Drugs
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Act Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, Md. 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

Record source categories: Individuals on whom the records are maintained are derived from affidavits and agency investigational reports.

Systems exempted from certain provisions of the act: None.

09-10-0017

System name: Epidemiological Research Studies of the Bureau of Radiological Health. HEW/FDA/BRH.

Security classification: None.

System location: Epidemiologic Studies Branch, Division of Biological Effects, Bureau of Radiological Health, Food and Drug Administration, Room 38, Twinbrook Research Laboratory, 12709 Twinbrook Parkway, Rockville, MD 20857.

Categories of individuals covered by the system: Persons who have been exposed to radiation (ionizing, nonionizing, sonic) from either medical, occupational or environmental sources; patients with cancer, birth defects, or other diseases or conditions resulting from radiation exposure; unexposed persons (e.g., family members) for the purpose of making comparisons.

Categories of records in the system: ID number, Social Security number which is supplied on a voluntary basis, name, demographic characteristics, radiation exposure, occupational and personal health histories, medical data and information on or from death certificates, if deceased.

Authority for maintenance of the system: Public Health Service Act, Sections 301, 310, 354, 356 and 357, 42 U.S.C. 241, 242A, 263b, 263c and 263d. Federal Food, Drug and Cosmetic Act, Section 702(a), 21 U.S.C. 372(a). Reorganization Plan No. 3 of 1970, Section 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in the system may be made available to individuals and organizations deemed qualified by the Department to carry out epidemiological research solely for the purpose of carrying out such research (Item 101, Appendix B of the Department Regulations (45 CFR 5b)).

Records in the system may be made available to Federal, State, and local agencies having an interest in protecting the public from the effects of radiation.

Records in the system may be made available to agencies or other persons who may be able to help locate individuals who may have been exposed to radiation.

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office, at the request of that individual.

In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity, (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components, or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in file folders, on punch cards and magnetic tape and discs, computer printouts and on microfilm.

Retrievability: Records are retrieved by name and number. They are used in HEW by epidemiologists, statisticians and authorized staff for epidemiological research and analyses on the effects of radiation exposure.

Safeguards: Name listings and log books containing information to permit the identification of an individual and microfilmed records are kept in locked files with access limited to authorized personnel. Data collection instruments (questionnaires, report forms) are stored either in file cabinets after all identifiers are removed or in locked file cabinets or a locked room. All computer files and printed listings are safeguarded in accordance with the provisions of the National Bureau of Standards Federal Information Processing Standard 41 and 31, and the HEW ADP Systems Manual Part 6, "ADP Systems Security." For example, a password is required to access these files.

Retention and disposal: One year to permanently, depending on the length of patient follow-up required to complete all phases of the study. The records will be destroyed by shredding, burning, or other appropriate means so as to render them illegible. Computer tapes and discs will be erased.

System manager(s) and address:

Chief, Epidemiologic Studies Branch (HFX-130)
Division of Biological Effects
Bureau of Radiological Health
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Notification procedure: To determine if a record exists, write to:

FDA Privacy Act Coordinator (HFI-30)
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Record access procedures: Same as notification procedure. Requesters should also reasonably specify the record contents being sought. In the event the file contains medical or medically related information, the requestor shall at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These procedures are in accordance with Department Regulations (45 CFR 5b(6)).

Contesting record procedures: Write to the official at the address specified under "Notification Procedure" above and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with FDA Regulations (21 CFR 21.50).)

Record source categories: Individuals in the system of records, employers, health care providers and facilities, administrative and vital statistics agencies.

Systems exempted from certain provisions of the act: None.

[FR Doc. 79-28595 Filed 10-5-79; 8:45 am]
Billing Code 4110-03-M

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE
SOCIAL SECURITY ADMINISTRATION**

**Privacy Act of 1974
SYSTEMS OF RECORDS: ANNUAL
REPUBLICATION**

AGENCY: Department of Health, Education, and Welfare, Social Security Administration.

ACTION: Annual republication of notices of systems of records.

SUMMARY: In accordance with 5 U.S.C. 552a(e)(4), we are publishing notices of systems of records which the Social Security Administration (SSA) maintains. The notices are complete as of August 10, 1979, and do not contain any new material which would require a new or altered system report as described in OMB Circular A-108. They do, however, contain editorial and general clarifying changes which make them complete. If any errors appear in this publication, we will publish corrections in a later issue of the Federal Register.

SUPPLEMENTARY INFORMATION: Since the previous annual publication of systems notices published on September 27, 1978, we have published the following three new notices of systems records:

(1) 09-60-0210 Record of Individuals Authorized Entry to Secured Electronic Data Processing Area, HEW/SSA/OMB;P;

(2) 09-60-0214 Personal Identification Number File, HEW/SSA/OA;

(3) 09-60-0215 National Recipient System, HEW/SSA/OFA;

We also altered the Disability Determination Service Processing File, 09-60-0044 (formerly the Initial and Continuing Disability Determination File) and published new and modified routine use statements for data included in the State Data Exchange System (SDX) 09-60-0114;

We have deleted eight notices of systems of records since the previous annual republication. The records in one system, 09-60-0055, Lag Period Between Initial Denial Notice and Reconsideration Study, are no longer needed and we are destroying them. We have consolidated the remaining seven systems with the Supplemental Security Income Record (SSR) 09-60-0103. The consolidated systems are as follows:

(1) 09-60-0104-Supplemental Security Income Claims Data, Federal Register, Vol. 43, No. 188, September 27, 1978, pages 44425-44426;

(2) 09-60-0105-Claims Currently in Process File (SSI), Federal Register, Vol. 43, No. 188, September 27, 1978, page 44426;

(3) 09-60-0107-Claims Index File (SSI), Federal Register, Vol. 43, No. 188, September 27, 1978, pages 44426-44427;

(4) 09-60-0108-Advance Payment File (SSI), Federal Register, Vol. 43, No. 188, September 27, 1978, page 44427;

(5) 09-60-0109-Overpayment File (SSI), Federal Register, Vol. 43, No. 188, September 27, 1978, pages 44427-44428;

(6) 09-60-0114-State Data Exchange System (SSI), Federal Register, Vol. 43, No. 188, September 27, 1978, pages 42783-42785; and

(7) 09-60-0115-SSI Audit Trail Microfiche, Federal Register, Vol. 43, No. 188, September 27, 1978, page 44430.

The SSR is the master system for the SSI program. The information that was included in the seven deleted systems was actually derived from the SSR. Therefore, we have identified them as "sub-systems" of the SSR and deleted them on that basis.

The other changes made in this publication are general "house-keeping" changes which make the notices up-to-date.

Dated: September 20, 1979.

Stanford G. Ross,
Commissioner of Social Security.

SYSTEM NUMBER AND SYSTEM NAME

- 09-60-0001-Commissioner's Correspondence File HEW, SSA, OC.
- 09-60-0002-Automated Controlled Correspondence Extraction System HEW, SSA, OGA
- 09-60-0003-Hearing File HEW, SSA, OHA
- 09-60-0004-Appeals File HEW, SSA, OHA
- 09-60-0005-Administrative Law Judge's File HEW, SSA, OHA
- 09-60-0006-Storage of Hearing Records: Tape Cassettes and Audiograph Discs HEW, SSA, OHA
- 09-60-0008-Administrative Law Judge's Docket HEW, SSA, OHA
- 09-60-0009-Hearings and Appeals Case Control System HEW, SSA, OHA

- 09-60-0010-Hearings and Appeals Case Control Card File HEW, SSA, OHA
- 09-60-0012-Listing and Alphabetical Name File (Folder) of Vocational Experts, Medical Advisors, and Medical Consultants HEW, SSA, OHA
- 09-60-0013-Records of Usage of Medical Advisors and Medical Consultants HEW, SSA, OHA
- 09-60-0014-Curriculum and Professional Qualifications of Staff Physicians, Medical Advisors, Medical Consultants, and Resume of Vocational Experts HEW, SSA, OHA
- 09-60-0015-List of Physicians Utilized as Readers of Black Lung X-Ray Films HEW, SSA, OHA
- 09-60-0017-Personnel Research and Merit Promotion Test Records HEW, SSA, OMBP.
- 09-60-0030-Employee Housing Request Files HEW, SSA, OMBP.
- 09-60-0031-Employee Production and Accuracy Records HEW, SSA, OMBP.
- 09-60-0032-Debtors, Credit Counseling and Consumer Protection HEW, SSA, OMBP.
- 09-60-0033-Requests for Review of Proposed Contracts With Experts and Consultants HEW, SSA, OMBP.
- 09-60-0034-Social Security Administration Contract Files HEW, SSA, OMBP.
- 09-60-0037-General Criminal Investigation Files HEW, SSA, OMBP.
- 09-60-0038-Employee Identification Card Files (Building Passes) HEW, SSA, OMBP.
- 09-60-0040-Quality Review System HEW, SSA, OA.
- 09-60-0042-Quality Review Case Files HEW, SSA, OA.
- 09-60-0043-Daily Record of Certified Benefits HEW, SSA, OURV
- 09-60-0044-Initial and Continuing Disability Determination File HEW, SSA, ODP
- 09-60-0045-Black Lung Payment System HEW, SSA, OURV
- 09-60-0046-Consultative Physician File HEW, SSA, ODP
- 09-60-0047-Critical Case Processing Time HEW, SSA, OCO
- 09-60-0049-Disability Data Record HEW, SSA, ODP
- 09-60-0050-Completed Determination Record - Continuing Disability Determinations HEW, SSA, OCO
- 09-60-0051-Administrative Disallowance Records for Technical Denials HEW, SSA, OCO
- 09-60-0052-Disposition of Vocational Rehabilitation Report to Social Security Administration HEW, SSA, ODP
- 09-60-0053-Reimbursement From Trust Fund for Vocational Rehabilitation Services HEW, SSA, ODP
- 09-60-0056-Vocational Rehabilitation Savings Calculation HEW, SSA, ODP
- 09-60-0057-Quality Evaluation Data Records HEW, SSA, OA
- 09-60-0058-Master Files of Social Security Number Holders HEW, SSA, OEER
- 09-60-0059-Earnings Recording and Self-Employment System HEW, SSA, OEER
- 09-60-0060-Correspondence File of the Office of Systems HEW, SSA, OEER
- 09-60-0061-Record of Earnings Information Furnished for Non-Program Purposes HEW, SSA, OEER
- 09-60-0063-Total Resources and Information Management (TRIM) System of Assistant Office Directors Systems HEW, SSA, OS
- 09-60-0064-Pending Social Security Number Applications HEW, SSA, ORC
- 09-60-0065-Direct Input Source Documents HEW, SSA, ORC
- 09-60-0066-Claims Development Record HEW, SSA, ORC
- 09-60-0069-Record of Claims (Microfiche) HEW, SSA, ORC
- 09-60-0075-Congressional Bills File HEW, SSA, ORC
- 09-60-0077-Congressional Inquiry File HEW, SSA, ORC
- 09-60-0078-Public Inquiry Correspondence File HEW, SSA, ORC
- 09-60-0079-Wage Item File HEW, SSA, ORC
- 09-60-0080-Problem Case File HEW, SSA, ORC
- 09-60-0081-Problem Case File (Supplemental Security Income) HEW, SSA, ORC
- 09-60-0082-Forced Payment File (Supplemental Security Income) HEW, SSA, ORC
- 09-60-0083-One Time Payment File HEW, SSA, ORC
- 09-60-0084-Control File for Cases Before Presiding Officers HEW, SSA, ORC
- 09-60-0085-Claims Leads HEW, SSA, ORC
- 09-60-0089-Claims Folders and Post-Adjudicative Records of

Applicants and Beneficiaries for Social Security Benefits HEW, SSA, OCO
 09-60-0090--Master Beneficiary Record HEW, SSA, OIP
 09-60-0091--Social Security Administration Claims Control System HEW, SSA, OURV
 09-60-0092--Automated Control for Case Folders HEW, SSA, OURV
 09-60-0093--Billing and Collection Master Record System HEW, SSA, OURV
 09-60-0094--Recovery Accounting for Overpayments HEW, SSA, OURV
 09-60-0095--Health Insurance Overpayment Ledger Cards HEW, SSA, OURV
 09-60-0096--Control System for Delayed, Critical or Sensitive Case Inquiries HEW, SSA, OURV
 09-60-0097--Program Integrity Case Files HEW, SSA, OA
 09-60-0100--Litigation Activity File HEW, SSA, OIP
 09-60-0101--Court Case Record File HEW, SSA, OIP
 09-60-0102--Fee Ledger System for Representatives HEW, SSA, OIP
 09-60-0103--Supplemental Security Income Record HEW, SSA, OURV
 09-60-0110--Supplemental Security Income File of Refunds HEW, SSA
 09-60-0111--Debit Voucher File (Supplemental Security Income) HEW, SSA
 09-60-0117--Age at First Payment of Retirement Insurance Benefit HEW, SSA
 09-60-0118--Non-Contributory Military Service Reimbursement System HEW, SSA
 09-60-0119--Special Age 72 Benefit Trust Fund Transfer Project HEW, SSA
 09-60-0128--Retirement, Survivors, and Disability Insurance Claims Study HEW, SSA, OA
 09-60-0129--Adjudication of Supplemental Security Income Claims Study HEW, SSA, OA
 09-60-0130--Quality of Service Measurement Program Based Upon Consumer Opinions HEW, SSA, OA
 09-60-0148--Matches of Internal Revenue Service and Social Security Administration Data with Census Survey Data (Joint Social Security Administration/Census Statistics Development Project HEW, SSA, OP
 09-60-0149--Matches of Internal Revenue Service and Social Security Administration Data (Joint Social Security Administration/Treasury Department Statistics Development Project HEW, SSA, OP
 09-60-0159--Continuous Work History Sample (Statistics) HEW, SSA, OP
 09-60-0183--Matches of Social Security Administration, Department of Defense, and Veterans Administration Data Relating to Earnings History to Armed Forces Training Experience HEW, SSA, OP
 09-60-0184--Hearing Office Master Calendar HEW, SSA, OHA
 09-60-0186--Litigation Master Record File HEW, SSA, OR
 09-60-0194--Direct Deposit Survey (Statistics) HEW, SSA, OA
 09-60-0196--Disability Studies Survey Records (Statistics) HEW, SSA, OP
 09-60-0197--Disability Studies Survey Records and Extracts (Statistics) HEW, SSA, OP
 09-60-0198--Extramural Research Administrative File HEW, SSA, OP
 09-60-0199--Extramural Survey (Statistics) HEW, SSA, OP
 09-60-0200--Retirement and Survivors Studies Survey Records (Statistics) HEW, SSA, OP
 09-60-0201--Retirement and Survivors Studies Records and Extracts (Statistics) HEW, SSA, OP
 09-60-0202--Old Age, Survivors and Disability Beneficiary and Worker Records and Extracts (Statistics) HEW, SSA, OP
 09-60-0203--Supplementary Security Income (SSI) Studies Records (Statistics) HEW, SSA, OP
 09-60-0204--Supplementary Security Income (SSI) Studies Survey Records and Extracts (Statistics) HEW, SSA, OP
 09-60-0205--Indochina Refugee and Sponsor System (Indochina Refugee Task Force) Volag Billing and Validation System, Refugee Financial Assistance System HEW, SSA, OFA
 09-60-0206--Repatriate Records System HEW, SSA, OFA
 09-60-0207--Cuban Refugee Registration Records HEW, SSA, OFA
 09-60-0208--Program Integrity Management Information and Control System HEW, SSA, OA
 09-60-0209--Readership Surveys of the Office of Research and Statistics HEW, SSA, OP

09-60-0210--Record of Individuals Authorized Entry to the Secured Electronic Data Processing Area HEW, SSA, OMBP
 09-60-0214--Personal Identification Number File (PINFile) HEW, SSA, OA
 09-60-0215--National Recipient System HEW, SSA, OFA

09-60-0001

System name: Commissioner's Correspondence File HEW SSA OC.
 Security classification: None.

System location:

Room 922 Altmeyer Building
 6401 Security Boulevard
 Baltimore, Maryland 21235

Room 656G Hubert H. Humphrey Building
 200 Independence Avenue, S.W.
 Washington, D.C. 20201

Categories of individuals covered by the system: Any person or group who may write directly to the Commissioner.

Categories of records in the system: The Commissioner's incoming personal correspondence.

Authority for maintenance of the system: Section 205 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper file, stored in filing cabinets.

Retrievability: Indexed by the name of the correspondent.

Safeguards: Files used for answering correspondence received in the Office of the Commissioner are equipped with locks.

Retention and disposal: Destroyed by shredding when deemed appropriate--general correspondence held 2 years.

System manager(s) and address:

Administrative Assistant
 Office of the Commissioner
 922 Altmeyer Building
 6401 Security Boulevard
 Baltimore, Maryland 21235

Room 656G Hubert H. Humphrey Building
 200 Independence Avenue, S.W.
 Washington, D.C. 20201

Notification procedure:

Office of the Commissioner
 922 Altmeyer Building
 6401 Security Boulevard
 Baltimore, Maryland 21235

Record access procedures: Any information on a specific individual may be accessed by that individual by writing to the Office of the Commissioner, referencing the

Commissioner's Correspondence File, and providing return address. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Record source categories: Incoming correspondence.

Systems exempted from certain provisions of the act: None.

09-60-0002

System name: Automated Controlled Correspondence Extraction

System HEW SSA OGA.

Security classification: None.

System location:

Office of Public Inquiries
6401 Security Boulevard
Baltimore, Maryland 21235

Medicare Office
Health Care Financing Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Office of Disability Operations
Dickenson Tower Building
1500 Woodlawn Drive
Baltimore, Maryland 21241

Office of Hearings and Appeals
Ballston Center
Tower 2
800 North Randolph Street
Arlington, Virginia 22204

Categories of individuals covered by the system: Records are maintained for individuals who forward a request for information directly to the Commissioner of the Social Security Administration and for individuals whose requests to members of Congress, the President, etc. are forwarded to the Commissioner for response.

Categories of records in the system: Information is maintained in the system solely to aid in the control of correspondence through the various processing steps. Information in the records includes the following: name of individual involved, social security number (if given), name of third party inquirer (if present), type of correspondence, organizational component having initial responsibility for the inquiry, Congressman's name (if a congressional inquiry), address-to-code (official to whom inquiry is directed, signature code, official to whom inquiry is directed, signature code (official whose name will appear on the reply) computer identification code (10 digit code cross referred to the name of the individual), subject matter code, location of information (component within the Social Security Administration that the inquiry and date of receipt), and response information (type and date of Social Security Administration response).

Authority for maintenance of the system: Sections 205(a) and 1631 of the Social Security Act, and Section 413 of the Federal Coal Mine Health and Safety Act (Black Lung).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape and computer discs.

Retrievability: The system is indexed by both name and by computer identification number, which are cross-referred. It is used to control processing of correspondence within the Social Security Administration Central Office Complex and the Office of Hearings and Appeals in Arlington, Virginia, and to provide management information regarding the correspondence process.

Safeguards: Magnetic tape and disc files are protected through standard security measures used for all of the Social Security Admin-

istration's computer records. Paper records are subject to the same safeguards as all other information in the Social Security Administration relating to claims and beneficiary records—limited access to social security offices, limited employee access to those that have a need to know; all employees receive instruction in Social Security Administration confidentiality rules in an initial orientation. Guidelines contained in the FIPS PUB 41, Computer Security Guidelines for Implementing the Privacy Act of 1974; FIPS PUB 31, Guidelines for Automatic Data Processing Physical Security and Risk Management, and FIPS PUB 3, ADP System Security Required by the Privacy Act of 1974, were taken into account in development of these safeguards.

Retention and disposal: Records are maintained on-line in the system from the time of control until 13 months after the final response is released. Tape records are then maintained on magnetic tape for an additional 24 months before being erased.

System manager(s) and address:

Director, Office of Public Inquiries
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Chief, Correspondence Systems and Analysis Branch, DCAP,
OPI
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Identifying information should include the name of the person inquired about, the person to whom the inquiry was sent, and the date of the inquiry.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Inquiries directed to the Commissioner of Social Security Administration from members of the public.

Systems exempted from certain provisions of the act: None.

09-60-0003

System name: Hearing File and Attorney Fee File HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
and 201 North Glebe Road
Arlington, Virginia 22203

Categories of individuals covered by the system: Claimants - Titles II, XVI, XVIII, and Black Lung.

Categories of records in the system: When present, the hearing file generally contains: request for hearing, notice of hearing, appearance at hearing

Safeguards: rd signed by claimant, correspondence to claimant, representative, or other source of evidence, cassette recordings of hearing, HA-503 card (case control device), decision (or dismissal order), and any material otherwise in an Appeals File. The hearing file (when present) may also contain the following information which is otherwise maintained as attorney fee file: attorney fee petition involving

3000 or more, requests for administrative review, or filed after Appeals Council action on a claim, Attorney Fee Analyst recommendation, fee authorization order, related correspondence, and control card.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. To applicants, claimants, beneficiaries, other than the subject individual, authorized representatives, experts, and other participants at a hearing to the extent necessary to pursue a claim or other matter on appeal.
4. Attorney to the extent necessary to dispose of an attorney fee petition.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hearing file folder in filing cabinets (when active). Attorney fee file control card in and filing container and paper folder on filing shelves.

Retrievability: Name and social security number. In the appeals process, the hearing file was a working file for individual cases rising to the hearing level. It was created and retained in the hearing office until final action by the presiding officer, and then retained in the Office of Hearings and Appeals central office until all appellate actions were completed. Preparation of new hearing files was discontinued as of May 30, 1975. Hearing files prepared prior to that date are still used, when available, by office employees at all appropriate work stations.

Attorney fee records, which were previously retained in the hearing file, became separately maintained after hearing file use was discontinued, and are used to process attorney fee petitions and to respond to correspondence and other inquiries.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: After all actions are completed, hearing file forwarded to Federal Record Center. Attorney fee file folder destroyed after 2 years, control card after 5 years.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Written request to Randolph Street address for hearing file.

Contact Glebe Road address for attorney fee file in person or writing. Individual should provide name and social security number.

Record access procedures: Written request to above address (social security number must be supplied to provide identification). Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Claimant, representative, appropriate members of the public, the Social Security Administration and other Government, State, and local agencies.

Systems exempted from certain provisions of the act: None.

09-60-0004

System name: Appeals File HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Categories of individuals covered by the system: Claimant - Social Security and Black Lung.

Categories of records in the system: This file generally contains: Hearing and Appeals analyst's recommendation to the Appeals Council; copies of correspondence and replies during processing of case; requests to Medical Support Staff and their comments, if not entered into the record; copies of Appeals Council actions on the case; notice of denial of request for review, order of remand, notice of granting review, decisions; copies of all post-adjudicative actions or correspondence; copies of transcripts when available.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder paper file on filing shelves.

Retrievability: Name and social security number. The appeals file is an internal working file created at the Office of Hearings and Appeals central office (in the absence of a hearing file) upon recommendation to or action by the Appeals Council in an individual case. Used by members of the Appeals Council and their support staff when working on cases on appeal and in handling post-adjudicative actions and correspondence.

Safeguards: Access to and use of these records limited to those persons whose official duties require such access.

Retention and disposal: Destroy 6 calendar months after appeals council final action where no court action is initiated. Destroy 4 calendar months after final court action in active court cases.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Written request to above address. Individual should provide name and social security number for identification.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Claimant, representative, appropriate members of the public, Social Security Administration and other government, State and local agencies.

Systems exempted from certain provisions of the act: None.

09-60-0005

System name: Administrative Law Judge File HEW SSA OHA.

Security classification: None.

System location: All hearing offices (See Appendix G).

Categories of individuals covered by the system: Claimant - Social Security and Black Lung.

Categories of records in the system: File established in the hearing office of hearing actions taken on each particular case.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder.

Retrievability: Alphabetical. Used as a reference to indicate actions taken in a particular case at the hearing level, in order to permit the administrative law judge or staff to reply to future correspondence.

Safeguards: Limited access to Social Security Administration offices; limited employee access to need to know.

Retention and disposal: File is destroyed two years after final action was taken.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals
Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Contact the hearing office in person or writing, or send a written request to the above address, providing name a, address, and social security number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Claimant, representative, appropriate members of the public, Social Security Administration and other government, State and local agencies.

Systems exempted from certain provisions of the act: None.

09-60-0006

System name: Storage of Hearing Records: Tape Cassettes and Audiograph Discs HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 N. Randolph St.
Arlington, Virginia 22203

Categories of individuals covered by the system: Claimant - Social Security and Black Lung.

Categories of records in the system: Recording of actual hearing before an administrative law judge.

Authority for maintenance of the system: Sections 205, 1631, and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cassette tape, master tape reels, and disc storage containers.

Retrievability: The records are indexed by name and social security number. Basic record of the hearing conducted in an individual case by the administrative law judge, the source utilized in the preparation of documentary transcript; used as a working reference by Social Security Administration employees in event of subsequent correspondence and/or further appeal of the claim, and for processing of attorney fee petition when appropriate.

Safeguards: The containers are housed on racks in a secure storage area with access to the records is limited to employees with a job-related need to know.

Retention and disposal: Indefinite.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals
Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Contact the above office. Individual should provide name and social security number.

Written request to above address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Claimant, representative, witnesses, administrative law judge and staff.

Systems exempted from certain provisions of the act: None.

09-60-0008

System name: Administrative Law Judge's Docket HEW SSA OHA.

Security classification: None.

System location: All hearing offices (See Appendix G).

Categories of individuals covered by the system: Claimant - Social Security and Black Lung.

Categories of records in the system: A list of the cases pending before the administrative law judge.

Authority for maintenance of the system: Sections 205, 1631(d), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder.

Retrievability: Social security number. Used to enable the administrative law judge to maintain control of his or her caseload.

Safeguards: None specified.

Retention and disposal: As each case is disposed of, it is removed from the list.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Written request to above. Individual should provide name and social security number. supplied to provide identification).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: administrative law judge, from information on incoming cases.

Systems exempted from certain provisions of the act: None.

09-60-0009

System name: Hearings and Appeals Case Control System HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

and each of the 10 regional offices (see Appendix G)

Categories of individuals covered by the system: Claimant - Social Security and Black Lung.

Categories of records in the system: Social security number, name, type of claim, last action on case/date, location of case (office), date of receipt, hearing request (date/type/schedule date/request for review date), administrative law judge, cross reference number.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b)

the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape with some punch card input.

Retrievability: Social security number. Used to provide case location and status for individual cases.

Safeguards: Limited access to Social Security Administration offices; limited employee access to information on a need to know basis. SSA data processing security.

Retention and disposal: Until retirement to Federal Records Center, then erased and returned to stock.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Written request to above address.

Individual should provide name and social security number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Office employees.

Systems exempted from certain provisions of the act: None.

09-60-0010

System name: Hearings and Appeals Case Control Card File HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Categories of individuals covered by the system: Claimants for social security and black lung benefits.

Categories of records in the system: Social security claim number; claimant-wage earner; administrative law judge /action/dates; Central Office/action/dates; codes hearing office/administrative law judge/social security office; routing.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where

the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape with some punchcard input.

Retrievability: Access is by social security number. This system has been replaced by the Hearings and Appeals Case Control System.

Safeguards: Data processing security site at Social Security Central Office, Baltimore, Maryland (See Appendix J(2)).

Retention and disposal: Indefinite.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals
Social Security Administration, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street

Arlington, Virginia 22203 The individual desiring access should provide social security number, name, address, and proof of identity.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b. Requesters should also reasonably identify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Prepared by Office employee.

Systems exempted from certain provisions of the act: None.

09-60-0012

System name: Listing and Alphabetical Name File (Folder) of Vocational Experts, Medical Advisors, and Medical Consultants HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
3833 North Fairfax Drive
and
801 North Randolph Street
Arlington, Virginia 22203
and each hearing office (see Appendix G)

Categories of individuals covered by the system: Individuals under contract to provide expert or consultative services to the Office of Hearings and Appeals.

Categories of records in the system: A list of all Vocational Experts and Medical Advisors under contract, who are within the area serviced by the hearing office, and their usage. A list of all Medical Consultants under contract for services in Central Office. In addition, a folder is kept for each expert containing a copy of their contract, qualifications, travel orders, invoices, and correspondence and other written records concerning usage as an expert, renewal of contract, etc.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder in filing cabinet and computer storage devices.

Retrievability: Listing alphabetically of Vocational Experts and Medical Advisors by name is used to enable the administrative law judge to select the needed expert on a rotational basis for utilization in individual cases. Alphabetical list of Medical Consultants used by Appeals Council or staff to select a consultant as needed in a case before the Appeals Council.

Alphabetical files (folders) by expert name are used by operating officials in carrying out their administrative management responsibilities. They may be used in this connection in renewal of contract, for budgetary planning and contract services usage summary, analysis, and planning.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Retain for 2 years after expiration of contract at which time the record is deleted by erasing all machine readable records and destroying all paper records.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203
and each hearing office (see appendix G)

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street

Arlington, Virginia 22203 Contact the hearing office where services are provided in person or in writing or sent written request to the above address. The individual should provide name, social security number, date of birth and type of contract services.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information either comes from the individual, from information supplied by the individual, or is provided by SSA officials.

Systems exempted from certain provisions of the act: None.

09-60-0013

System name: Records of Usage of Medical Advisors and Medical Consultants HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Categories of individuals covered by the system: Medical Advisors and Medical Consultants.

Categories of records in the system: Records the occasions on which each Medical Advisor or Medical Consultant supplied advice or services to the administrative law judges or the Appeals Council, respectively.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders, magnetic tape and some punchcards.

Retrievability: Alphabetically by name—used for statistical purposes and to determine whether the contract for a Medical Advisor or Medical Consultant should be renewed.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Maintained as long as Medical Advisor or Medical Consultant is under contract. Incineration or trash disposal or erasure.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals
Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Written request to above address. Individual should include name, social security number, and whether Medical Advisor or Medical Consultant.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Administrative law judges, Appeals Council, and supporting staffs.

Systems exempted from certain provisions of the act: None.

09-60-0014

System name: Curriculum Vitae and Professional Qualifications of Medical Officers and Medical Advisors and Medical Consultants and Resume of Vocational Experts HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203
and each Hearing office (See Appendix G).

Categories of individuals covered by the system: Medical Officers, Medical Consultants, Vocational Experts and medical advisors.

Categories of records in the system: Curriculum vitae and professional qualifications.

Authority for maintenance of the system: Sections 205, 1631(d)(1), and 1872 of the Social Security Act, as amended, and section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. to parties to a hearing.
4. to the claimant (who would be a third party in this instance).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders in filing cabinets.

Retrievability: Alphabetically by name. Reproduction for use as an exhibit in individual cases, enables the administrative law judge or Appeals Council member to demonstrate the physician's professional background and expertise and vocational expert's professional background and expertise

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Maintained as long as medical officers are employed by the Office of Hearings and Appeals and medical advisor, Medical consultant, or vocational expert is under contract.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203
or hearing office.

Contact the hearing office at above address in person or writing. Individual should provide name, social security number, and indicate whether a medical officer, medical advisor, medical consultant, or vocational expert.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information either comes from the individual, from information supplied by the individual or medical directories.

Systems exempted from certain provisions of the act: None.

09-60-0015

System name: List of Physicians utilized as Readers of Black Lung X-Ray Films HEW SSA OHA.

Security classification: None.

System location:

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

each Hearing Office (See Appendix G)

Categories of individuals covered by the system: Physicians under contract utilized by OHA for x-ray reading in black lung cases.

Categories of records in the system: Copy of contract, professional qualifications and curriculum vitae of the physicians.

Authority for maintenance of the system: Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders in filing cabinets.

Retrievability: Alphabetically by name—enable the selection of an appropriate physician for reading x-rays in individual cases.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Indefinitely.

System manager(s) and address:

Associate Commissioner, Office of Hearings and Appeals
Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203
and hearing offices.

Contact the appropriate hearing office or the above address in writing or person. Individual should provide name and social security number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information obtained from the individual.

Systems exempted from certain provisions of the act: None.

09-60-0017

System name: Personnel Research and Merit Promotion Test Records HEW SSA OMBP.

Security classification: None.

System location:

Office of Human Resources, Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: SSA employees.

Categories of records in the system: These records include tests, test scores, responses to test items and questionnaires, interview data, and special ratings of employees obtained in test validation and other research.

Authority for maintenance of the system: Title 5, U.S. Code Sec. 3301, Sec. 1303.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to the Civil Service Commission for personnel research purposes and for use of personal identifier such as employee name to identify employees included in research studies that extend over a period of time (longitudinal studies).
2. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

- (3) In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, on punched cards, microfiche, computer tape, and computer storage.

Retrievability: Personnel Research—Personal Information can be retrieved by name or personal identifier (such as social security number) only for certain research projects such as those that involve longitudinal studies. Confidential and/or protected information such as ratings or test materials will not be disclosed. Research data are collected on a project by project basis and are used for the construction, analysis and validation of written tests; for research on personnel measurement and selection methods and techniques such as performance evaluation or productivity. No personnel decisions are made in the use of these research records. Many data are collected under conditions assuring their confidentiality. Personal information in this system of records is used by the Personnel Measurement and Research Branch in its research activities. Merit Promotion—Merit promotion test records are maintained by major SSA organization component, name and social security number. Merit promotion test information is used as one of the factors weighted under SSA Merit Promotion Programs. These records also may be used as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected or maintained, or for related personnel management functions or manpower studies.

Safeguards: Records are kept in locked files or locked room, and access is limited to research staff.

Retention and disposal: Indefinite.

System manager(s) and address:

Director, Office of Human Resources
Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Write to the Director, Division of Research and provide name, name of system, identifier where required, and place of SSA employment or former employment.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Same as notification procedures. Requesters should reasonably identify the records and specify the information to be contested. (these procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.)

Record source categories: Individual SSA employees, supervisors, assessment center assessors or data from SSA personnel files and records.

Systems exempted from certain provisions of the act: Under the provisions of 5 USC 552, Sec. K (6), which provides for exempting sting or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process,

exempt from disclosure all Social Security Administration merit promotion tests, test item files, answer keys, completed answer sheets, transmutation tables and schedules, and ratings given for the purpose of validating tests.

09-60-0030

System name: Employee Housing Request Files HEW SSA OMBP..

Security classification: None.

System location:

Office of Human Resources, Office of Management, Budget and Personnel
6401 Security Boulevard

Baltimore, Maryland 21235

Categories of individuals covered by the system: SSA employees who have requested housing counseling services.

Categories of records in the system: This system of records contains the employee's name, home address, position, grade, work location, work telephone number, housing assistance requested and assistance given.

Authority for maintenance of the system: Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. (Statistical data) to U.S. Dept. of Housing and Urban Development.
4. In accordance with Appendix B of the DHEW Regulations (45 CFR, Part 5b) Items (3), (4), (5), (6), and (8).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Indexed by the employee's name. Information is used by housing counselors to assist employee in finding suitable housing.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are maintained for 1 year and then destroyed.

System manager(s) and address:

Director, Office of Human Resources
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the System Manager and provide name, clerk number or other identifier, and place of SSA employment or former employment.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information provided by the employee.

Systems exempted from certain provisions of the act: None.

09-60-0031

System name: Employee Production and Accuracy Records HEW SSA OMBP.

Security classification: None.

System location:

Operating offices of SSA at the organizational level of the individual's employment.

Categories of individuals covered by the system: Current employees of SSA.

Categories of records in the system: Work measurement records with the following items: employee name, grade, organization unit and shift, social security number, clerk number, Supervisor's name, production data (monthly, weekly, daily), accuracy data, backlog information, error ratio, processing time data, operating and production control codes, leave usage.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. In accordance with Appendix B of the DHEW Regulations (45 CFR, Part 5b) Items (1), (3), (5), (6), (7), (8), and (9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on punch cards, magnetic tape, and on paper forms in file cabinets.

Retrievability: Indexed alphabetically and in social security number or clerk number sequence. Used by Social Security Administration management for manpower planning, production control (to identify backlogs, and systems and procedure problems, manpower utilization, budget estimations, appraisal of employees).

Safeguards: Released to employees or management who have a need to know. For computerized records, electronically transmitted between Central Office and field office location (including organizations administering SSA programs under contractual agreements), systems securities are established in accordance with DHEW standards and National Office of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Retention and disposal: Kept for two years and destroyed.

System manager(s) and address:

Associate Commissioner for Management, Budget and Personnel
Room 800 Altmeyer Building
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual should contact his/her immediate supervisor and provide information necessary to identify the record being sought.

Record access procedures: Same as notification procedures. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Employee completed cards or records records completed by supervisor or control personnel, information furnished by time keeper.

Systems exempted from certain provisions of the act: None.

09-60-0032

System name: Debtors, Credit Counseling and Consumer Protection HEW SSA OMBP.

Security classification: None.

System location:

Office of Human Resources, Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Employees of SSA headquarters who request services or employees about whom the administration receives written inquiries because of employees' alleged delinquency in paying taxes and just debts.

Categories of records in the system: Form SSA-3048:

Employee's name
Social Security Number
Telephone extension
Office, branch

Grade**Area of service**

Nature of request including personal information as to finances that the employee voluntarily provides
Disposition, including employee's stated intentions
Record of letters or tax forms sent as replies and referrals made to community organizations
Copies of letters from employees to consumer agencies
Letters from creditors or their representatives and copies of our replies
Copies of tax levies against employees.

Authority for maintenance of the system: Title 45 Public Welfare, Part 73.735-702 Standards of Conduct HEW Federal Personnel Manual, 735-4-10.B1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. In accordance with Appendix B of the DHEW Regulations (45 CFR, Part 5b) Items (1), (3), (4), (5), (6), (8).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Alphabetically by name. These files are also used by staff members of Employee Relations Branch for work processing, perspective in counseling and possible disciplinary action (DPO, PCB) when indicated.

Safeguards: Locked steel file cabinets.

Retention and disposal: Routine cases destroyed by shredding after period of one year except for tax review which are kept indefinitely. Ongoing cases in which there is indepth counseling may be kept up to three years from date of last contact.

System manager(s) and address:

Director, Office of Human Resources
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Inquiries should be addressed to the Director, Division of Personnel Operations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, and should include the individual's name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information obtained from employee, creditors, IRS, State Tax Division of various States. SSA Computer Printout 7887 Part I

cator
sed to find telephone extension of employees.

Systems exempted from certain provisions of the act: None.

09-60-0033

System name: Requests for review of proposed contracts with experts and consultants HEW SSA OMBP..

*Security classification: None.

System location:

Office of Human Resources, Office of Management, Budget and Personnel

6401 Security Boulevard

Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals for whom personal service contracts are proposed.

Categories of records in the system: Form SSA-2112. Requisition for Services and related correspondence concerning review by the Office of Human Resources in order to determine whether services should be obtained by the appointment or by the procurement method. Record may contain individual's name, education, work experience and qualifications, social security number, and date of birth.

Authority for maintenance of the system: 5 USC 3109.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. In accordance with Appendix B of the DHEW Regulations (45 CFR, Part 5b) Items (1), (3), (5), (6), (7), (8), and (9).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinet.

Retrievability: Retrievable by name. Used by GAO auditors with requested information concerning the reasons for recommendations made.

Safeguards: Lockable file.

Retention and disposal: Indefinite.

System manager(s) and address:

Director
Office of Human Resources
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Director
Division of Personnel Policy, Data, and Research
6401 Security Boulevard
Baltimore, Maryland 21235

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information furnished by individual and SSA Office and Office Management Component.

Systems exempted from certain provisions of the act: None.

09-60-0034

System name: Social Security Administration Contract Files HEW SSA OMBP.

Security classification: None.

System location:

Office of Management, Budget and Personnel
Supply Building
6301 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Individual consultants.

Categories of records in the system: Name, contract number, and the amount of the contract.

Authority for maintenance of the system: Sections 205(a), 1634 and 1842 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name and contract number, and used by employees for post audits and reference.

Safeguards: Files are maintained in locked filing equipment.

Retention and disposal: Each file is maintained for a period of 6 years, 2 years at Social Security Administration and 4 years in a Federal Records Center where they are destroyed.

System manager(s) and address:

Associate Commissioner for Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Director,
Division of Contracts and Grants Management
Supply Building
6301 Security Boulevard
Baltimore, Maryland 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information in the files comes directly from the individual consultant as well as bureau or office requesting the service in question.

Systems exempted from certain provisions of the act: None.

09-60-0037

System name: General Criminal Investigation Files HEW SSA OMBP..

Security classification: None.

System location:

Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Reported violators of Federal and State criminal laws on Social Security Administration property.

Categories of records in the system: Investigative efforts to resolve reported crimes and evidence obtained for judicial prosecution.

Authority for maintenance of the system: Section 535 of Title 28, United States Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

3. In accordance with Appendix B of the Departmental Regulations. See 45 CFR 5b, Appendix B (1) and (5).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Heavy-weight Kraft file folders in fireproof, locked, steel cabinets.

Retrievability: Indexed alphabetically by names of subject of investigation.

Safeguards: Access limited in storage area to Protective Security Section only.

Retention and disposal: Seven years, then shredded.

System manager(s) and address:

Chief
Protective Security Branch
Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual can determine if this system contains a record pertaining to him by sending a request in writing to the Systems Manager. The request should contain full name, date of birth, as well as work location in the Social Security Administration.

Record access procedures: Per 5 U.S.C. 552a(k)(2), the records in this system are exempt from access by the individual named in the records. However, access to information which is a matter of public record or documents furnished by the individual will be permitted. Requestors should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Same as notification procedures. Requestors should reasonably identify the records and specify the information to be contested. These procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Record source categories: Information in files comes from interviews of persons believed knowledgeable about crimes under investigation who furnish relevant facts which can serve to identify possible violators and secure the conviction of the guilty.

Systems exempted from certain provisions of the act: Exemption of this system to the access provisions is claimed under section (k)(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for law enforcement in anticipation of criminal proceeding. (See page 47413 of Federal Register of 8/8/75, Vol. 40, No. 196, Part V).

09-60-0038

System name: Employee Identification Card Files (Building Passes) HEW SSA OMBP..

Security classification: None.

System location:

Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All social security employees. Non-social security employees who require continuous access to buildings. (e.g. employees of vendors and contractors).

Categories of records in the system: Name, social security number, Office/Office, office telephone number, color code for type of pass.

Authority for maintenance of the system: Federal Property Management Regulations, 41 CFR 101-20. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained on Social Security Administration Forms 364 and 1860.

Retrievability: Forms are indexed by social security number. Identification cards are used for admission to Social Security buildings, and the application forms verify prior issuance in the event of loss or theft of the card.

Safeguards: Forms 364 are in locked files; forms 1860 are destroyed after forms 364 are issued.

Retention and disposal: Forms 364 are kept during the length of service of the individual and then destroyed; picture pass is forwarded to Commuter Information Center, Social Security Building, 6401 Security Boulevard, Baltimore, Maryland 21235, for destruction.

System manager(s) and address:

Associate Commissioner for Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Chief
Facilities Branch
Office of Management, Budget and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

For replacement, individual is required to fill out Social Security Form 1860,
Request for Replacement Photopass.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information in these files is received from the Division of Personnel and Training Operations as well as individual employees, contractors, or vendors.

Systems exempted from certain provisions of the act: None.

09-60-0040

System name: Quality Review System HEW SSA OA.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Randomly selected applicants for and/or beneficiaries of:

- a. Supplemental Security Income (SSI) payments under title XVI of the Social Security Act. Records of some SSI beneficiaries may have been transferred from State welfare rolls for Aid to the Aged, Blind, and Disabled.
- b. Retirement, survivors, and disability insurance benefits under title II of the Social Security Act.

Categories of records in the system:

- a. Supplemental Security Income Quality Review: Quality Assurance Data Base, selected casefile, contingency sample master file, quality assurance universe file, designated case file, designated case transmission file, designated case extract file, and sample control list. These records may contain: social security number, State and county of residence, type of claim, information regarding federally administered supplementation payments, social security claims numbers, living arrangements and family composition, income and medical information, sex, race, resources, third party contacts, and indications of processing errors.

- b. Retirement and Survivors Insurance and Disability Insurance Quality Review: These records contain information regarding Federal payments and other information listed in (a) above.

Authority for maintenance of the system: Sections 205(a), 1631(d), and 1631(e) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: With respect to SSI data, routine use disclosure may be made:

1. As noted in 45 CFR, part 5b, Appendix B-(1), (3), (6), (9), and (103)
2. To members of the community and local, State, and Federal agencies in order to locate the individual (when his or her whereabouts are unknown), to establish the validity of evidence or to verify the accuracy of information presented by the applicant/beneficiary, representative payee, legal guardian or other representative of the applicant/beneficiary
3. To State Welfare Departments pursuant to agreements with the Social Security Administration for the Federal administration of State supplementation payments.
4. State agencies for administration of the Medicaid Quality Control system
5. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

With respect to title II data, routine disclosure is made only as indicated in items 1, 2, 5, and 6.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and disks.

Retrievability: By any set of record characteristics e.g., social security number, and name.

The Quality Review Data Base is used for accumulating and tabulating data to determine the accuracy of the entitlement status of applicants/beneficiaries and of benefit amounts paid under the retirement and survivors insurance and the disability insurance programs, and the eligibility status of applicants/beneficiaries and of benefit amounts paid under the supplemental security income program. Title XVI data also are used to calculate the Federal fiscal liability case and gross dollar error rates for State supplementation funds administered by the Social Security Administration. Other categories of records provide data necessary to complete the data base and to provide information to the Social Security Administration's Quality Assurance Field Offices and Satellite offices Staffs needed to review cases in order to obtain information on the general level of accuracy of the entire beneficiary rolls in the programs noted previously.

Safeguards: Tapes are stored in tape vault in Electronic Data Processing Operations Branch or in protected storage racks; disks in protected storage racks. The entire area is secured by guarded entrances, with admission limited to authorized personnel.

Retention and disposal: The Quality Assurance data base is retained indefinitely. Other records are erased after 30-500 days.

System manager(s) and address:

Director, Office of Payment and Eligibility Quality
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Requests may be forwarded to the Director, Division of Review Validation and Support Support, Office of Payment and Eligibility Quality, 6401 Security Boulevard, Baltimore, Maryland 21235. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information in the Social Security Administration Quality Review system is furnished by applicants for and beneficiaries of the retirement and survivors insurance, the disability program, and the supplemental security income program, representative payees of such individuals (where appropriate), Social Security Administration offices, other Federal and State agencies, and private sources.

Systems exempted from certain provisions of the act: None.

09-60-0042

System name: Quality Review Casefile HEW SSA OA.

Security classification: None.

System location: Office of Payment and Eligibility Quality, Office of Assessment, 6401 Security Boulevard, Baltimore, Md. 21235; Office of Assessment, Field (10) and Satellite (27), Offices (See Appendices D.3 and D.4 respectively).

Categories of individuals covered by the system: Randomly selected applicants for and/or beneficiaries of:

- a. Supplemental Security Income (SSI) payments under title XVI of the Social Security Act. Records of some SSI beneficiaries may have been transferred from State welfare rolls for Aid to the Aged, Blind, and Disabled.
- b. Retirement, survivors, and disability insurance benefits under title II of the Social Security Act.

Categories of records in the system: The Quality Review Casefile contains information from SSA records and information obtained by Quality Review Specialists from retirement and survivors insurance, disability insurance and SSI applicants-beneficiaries and from third party sources. These casefiles may contain information relating to any combination of these three programs.

Authority for maintenance of the system: Sections 205(a) 1631(d)(1) and 1631(e)(1)(B) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: With respect to SSI data, routine use disclosure may be made:

1. As noted in 45 CFR, part 5b, Appendix B-(1), (3), (6), (9), and (103);
2. To members of the community and local, State, and Federal agencies in order to locate the individual (when his or her whereabouts are unknown), to establish the validity of evidence or to verify the accuracy of information presented by the applicant/beneficiary, representative payee, legal guardian or other representative of the applicant/beneficiary;
3. To State Welfare Departments pursuant to agreements with the Social Security Administration for the Federal administration of State supplementation payments;
4. State agencies for administration of the Medicaid Quality Control system;
5. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any

employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

With respect to title II data, routine disclosure is made only as indicated in items 1, 2, 5, and 6.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila folder.

Retrievability: The Quality Review Casefiles can be retrieved only by social security number. Retrieval will be speedier if the individual's State of residence, program under which benefits were received and/or applied for, and sample selection month are supplied.

Both title II and title XVI Quality Review casefiles are used for accumulating data concerning the eligibility or entitlement of applicants/beneficiaries and of benefit amounts paid under the retirement, survivors, and disability insurance programs, and the supplemental security income program. Casefiles also provide data necessary to complete the Quality Review Data Base and to provide information to the Social Security Administration's Quality Assurance Field Offices and Satellite Office needed to review cases in order to obtain information on the general level of accuracy of the entire beneficiary rolls in the programs noted previously.

Data obtained from the title XVI Quality Review casefiles also are used to calculate the Federal fiscal liability case and gross dollar error rates for State supplementation funds administered by the Social Security Administration.

Safeguards: With respect to title XVI, Quality Review casefiles are stored in the Quality Assurance Satellite Offices that have jurisdictional responsibility for review of the selected sample cases. With respect to title II, Quality Review casefiles are stored in the Quality Assurance Field Offices and where appropriate, in the Quality Assurance Satellite Offices that have jurisdictional responsibility for review of the selected sample case. All Quality Review casefiles are stored either in locked cabinets and/or locked rooms in space serviced by GSA guards.

Retention and disposal:

- a. Title XVI Quality Review casefiles are retained for 18 months after the case was selected for quality review or until fiscal settlement (Federal fiscal liability situation) for the sample period for which the individual case was selected is reached between SSA and the individual States whichever is later.
- b. Title II Quality Review casefiles are retained for 18 months after case was selected for review.

System manager(s) and address:

Director
Office of Payment and Eligibility Quality
Office of Assessment
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Requests may be forwarded to the Program Review Officers (See Appendix D-3). An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information in the Quality Review casefile is furnished by applicant/beneficiaries under the retirement, survivors insurance program, disability insurance program, and the

supplemental security income program, representatives of such individuals (where appropriate), Social Security Administration offices, and other Federal, State and local agencies, and from private sources.

Systems exempted from certain provisions of the act: None.

09-60-0043

System name: Daily Record of Certified Benefits HEW SSA OURV.

Security classification: None.

System location:

Office of Central Operations
Baltimore, Maryland 21241

Categories of individuals covered by the system: Social security disability insurance and black lung beneficiaries.

Categories of records in the system: The name and address of the beneficiary(s) or the name and address of the representative payee, the social security number of the beneficiary or the individual on whose earnings record, benefits are being paid, the beneficiary identification code, the monthly benefits amount, and the amount of accrued benefits being certified via a monthly updated tape for immediate payment.

Authority for maintenance of the system: Section 223 of the Social Security Act (42 U.S.C. 423), and 5 U.S.C. 301, 30 U.S.C. 921. Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number.

Records are maintained daily of all benefit amounts authorized for payment and forwarded monthly to United States Treasury Department for issuance of the benefit checks.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc.

Retention and disposal: A duplicate of the data that is transmitted to the Treasury Department is maintained on a tape file under security measures and then transferred to a Federal record center for permanent storage.

System manager(s) and address:

Director
Office of User Requirements and Validation
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate data and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Part of the information is derived from the individual and part from the computation of the benefit formula.

Systems exempted from certain provisions of the act: None.

09-60-0044

System name: Disability Determination Service Processing File HEW SSA ODP.

Security classification: None.

System location: Each Disability Determination Services office. The name and address for each State is shown in Appendix B.

Categories of individuals covered by the system: Claimants for Disability Insurance and Black Lung benefits, and Supplemental Security Income alleging a disability for whom the Disability Determination Service processes claims.

Categories of records in the system: Name and social security number of wage earner, claimant's name and address, date of birth, diagnosis, beginning and ending dates of disability, basis for determination, work history information, educational level, reexamination date (if applicable), date of application, names and titles of persons making or reviewing the determination and certain administrative data. Also included could be data relative to the location of the file and the status of the claim, copies of medical reports, and data relating to the evaluation and measurement of the effectiveness of claims policies.

Authority for maintenance of the system: 5 U.S.C. 301, 30 U.S.C. 923(b), and Sections 221, 1633, and 1634 of the Social Security Act provides the authority for maintenance of the system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be to:

1. State vocational Rehabilitation agency or State crippled children's service agency (or another agency providing services to disabled children) for the consideration of rehabilitation services per 42 U.S.C. 422 and 1382d.
2. State audit agencies utilizing this information for verifying proper expenditure of Federal funds by the State in support of the Disability Determination Service (DDS).
3. Veterans Administration of information requested for purposes of determining eligibility for or amount of VA benefits, or verifying other information with respect thereto.
4. Railroad Retirement Board for administering the Railroad Unemployment Contributions Act.
5. Congressional offices from the record of an individual response to an inquiry from the congressional office made at the request of that individual.
6. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
7. In response to legal process of interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Carbon copies of Forms SSA-831 and SSA-833 are maintained in sectionalized files.

Retrievability: Filed by social security number or alphabetically by the claimant or beneficiary's name depending on Disability Determination Service preference.

Safeguards: Accessible only to Disability Determination Service personnel and subject to the restrictions on disclosures under 5 U.S.C. 552(b)(6), 21 U.S.C. 1175, 42 U.S.C. 1306.

Retention and disposal: May vary from State to State according to the preference, but generally each State destroys its files over a period varying from 6 months to 36 months unless held in an inactive storage under security measures for a longer period.

System manager(s) and address: Assistant Regional Commissioner, Disability Insurance, at the address shown in Appendix B, Federal Register, September 20, 1976, page 41049.

Notification procedure: Disability Determination Services Administrator, Disability Determination Services, c/o State in which the individual resides and/or information is likely to be maintained. See Appendix B. Requester should furnish identifying information: name,

social security number, address. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: These records summarize information contained in the file folder, which was obtained from the individual or someone acting on the individual's behalf and from the individual's physician, or a physician performing a consultative examination or from hospitals and other treatment sources.

Systems exempted from certain provisions of the act: None.

09-60-0045

System name: Black Lung Payment System HEW SSA OURV.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21225

Categories of individuals covered by the system: All black lung beneficiaries currently entitled to receive a black lung benefit and beneficiaries terminated because of a termination event as defined in the Federal Coal Mine Health and Safety Act.

Categories of records in the system: The Black Lung Master Records consist of a payment master record and a benefit master record which are matched once a month. The payment master record reflects the social security number and the payment identification code under which black lung benefits are awarded and payment data such as the monthly payment amount, the scheduled payment amount, offset information, the number of beneficiaries on the account as well as the number of beneficiaries in the payment, the month of accrual, the month of debit, credit information, future month of adjustment diary dates, cross-reference information, payee name and address information, direct deposit data, and statistical information. The benefit master record contains a benefit record for each beneficiary on the account which includes the social security number, the payment and benefit identification codes, the payment status, the monthly benefit amount, the beneficiary's name, type of benefit, date of birth, race, sex, offset information, credit information, date of filing, date of entitlement, representative payee information, and statistical information.

Only the latest action taken is reflected on these records. The records may be in the following form: Payment Master Record Computer File; Benefit Master Record Computer File; Treasury Payment Tape File; Microfiche Files; Payment Reference Listing; Benefit Reference Listing.

Authority for maintenance of the system: Sections 413 and 415 of Part IV of the Federal Coal Mine Health and Safety Act (Black Lung).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, paper.

Retrievability: By social security number.

The data on the Black Lung Master Records is used by Social Security employees for responding to inquiries, computer exception processing, conversion of benefits, end of the month reconciliations, statistical studies to generate payment tapes for Treasury, and for exchange with the Department of Labor for administering provisions of the Title IV of the Black Lung Act.

Safeguards: Magnetic tape is protected through standard security measures used for all Social Security Administration computer records. Paper records are subject to the same safeguards as all other information in the Social Security Administration relating to claims and beneficiary records.

Retention and disposal: Magnetic tape records are retained up to 90 days. Paper records are usually destroyed after use, except where needed for documentation of the claims folder.

System manager(s) and address:

Director
Office of User Requirement and Validation
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information for the Black Lung Master Records is furnished by the beneficiary at the time of filing for benefits via the application form and necessary proofs and during the period of entitlement when notices of events such as changes of address, work, marriage, etc., are given to the Social Security Administration by the beneficiary. This information is prepared for input to this system from the Black Lung claims folders.

Systems exempted from certain provisions of the act: None.

09-60-0046

System name: Consultative Physician File HEW SSA ODP.

Security classification: None.

System location: Offices of the Disability Determination Services (DDS) of each State that may currently maintain this type of file. The names and addresses of each DDS are in Appendix B.

Categories of individuals covered by the system: Physicians who have expressed a willingness to conduct consultative examinations for the DDS and, in some instances, other physicians with whom the DDS has contact. The latter are usually treating physicians.

Categories of records in the system: Information relative to a physician's speciality, past experience with him as to the promptness with which he submits reports, general thoroughness of his reports, etc., as well as perhaps comments on the physician's own preferences (such as appointment hours, etc.).

Authority for maintenance of the system: 5 U.S.C. 301, 30 U.S.C. 923(b), Sections 221, 1633, and 1634 of the Social Security Act under which each State may enter into an agreement with the Secretary of Health, Education, and Welfare to make determinations as to disability with respect to individuals within that State.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b)

the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Each DDS Maintains its own records and the method of storage may vary from State to State. Generally, the information is on a file card maintained in a standard card file cabinet.

Retrievability: Records are filed alphabetically and are retrieved manually by authorized personnel. DDS personnel utilize this information when considering the need for additional medical evidence in claims under Titles II and XVI of the Social Security Act or Title IV of the Federal Coal Miners Health and Safety Act.

Safeguards: Only authorized Disability Determination Services personnel have access to these records. Personal information other than the name of the physician is subject to the disclosure restrictions of 5 U.S.C. 552(b)(6), 21 U.S.C. 1175, and 42 U.S.C. 1306.

Retention and disposal: Disability Determination Services policy as to retention and disposal varies from State to State, but generally, the file is purged upon death, retirement, or relocation of the physician.

System manager(s) and address: Assistant Regional Commissioner, Disability Insurance at the address shown in Appendix B

Notification procedure: Inquiries and requests by individuals should be addressed to:

Disability Determination Services Administrator
Disability Determination Services
C/O State in which the individual resides and/or
information is likely to be maintained.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Most information is obtained directly from the physician. Observations of Disability Determination Services personnel about the physician, such as a doctor's general promptness in filing reports, may occasionally be found in a physician's file.

Systems exempted from certain provisions of the act: None.

09-60-0047

System name: Critical Case Processing Time HEW SSA OCO.

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Social security disability beneficiaries or claimants whose application for disability benefits is pending.

Categories of records in the system: Social security numbers of claimants and dates requests were received and processed.

Authority for maintenance of the system: Section 221 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any

employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. Records used monthly to prepare processing time reports.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc.

Retention and disposal: Tapes are maintained until the decision is made at which time the record is erased.

System manager(s) and address:

Director
Office of Central Operations
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Records are prepared from control sheets showing date of requests, date request was processed and type of request.

Systems exempted from certain provisions of the act: None.

09-60-0049

System name: Disability Data Record HEW SSA OCO.

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Social security disability beneficiaries or claimants whose application for a disability benefit has been allowed or denied.

Categories of records in the system: Social security numbers of the claimant and other demographic and statistical information relating to the disability decision.

Authority for maintenance of the system: Section 221 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

3. to the Energy Resources Development Administration for their study of the long term effects of low-level radiation exposure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. This tape is used for various special studies.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc. For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), systems securities are established in accordance with DHEW standards and National Bureau of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Retention and disposal: Tapes are maintained indefinitely.

System manager(s) and address:

Director
Office of Central Operations
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The record contains data taken from the claim file which was obtained from the individual or someone acting on the individual's behalf.

Systems exempted from certain provisions of the act: None.

09-60-0050

System name: Completed Determination Record - Continuing Disability Determinations HEW SSA OCO

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Allowed disability claimants on which a continuing disability issue has occurred and a decision of continuance or cessation has been approved.

Categories of records in the system: Name and social security number of the individual and other data such as date of birth, District and State Agency Code, date disability began, type of claim, reasons for reopening, continuance or cessation code, date of termination (if applicable), date of completion, etc.

Authority for maintenance of the system: Section 221 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the

Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. Used primarily to record the result of continuing disability investigations.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards, and photographs, etc.

Retention and disposal: Tapes are maintained indefinitely.

System manager(s) and address:

Director
Office of Central Operations
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: These records summarize information contained in the claims folder which was obtained from the individual or someone acting on the individual's behalf and from this individual's physician, or a physician performing a consultative examination or from hospitals and other treatment sources.

Systems exempted from certain provisions of the act: None. 763

09-60-0051

System name: Administrative Disallowance Records for Technical Denials HEW SSA OCO

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Any disability applicant whose claim has been disallowed for technical reasons, generally for failure to meet the insured status provisions at any time.

Categories of records in the system: The name and social security number of the claimant together with other pertinent data such as district office code, disallowance code, date claim filed, disallowance notice number and date processed.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. The record serves as a statistical and workload accounting source for disability decisions on applicants who never met or do not meet the insured status provisions in relation to the date disability began.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc.

Retention and disposal: Tapes are retained indefinitely.

System manager(s) and address:

Director
Office of Central Operations
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information for this record is taken from Form SSA-201B, Determination of Disallowance - Disability Claim which is completed by a Social Security Administration employee to document the reason for the determination.

Systems exempted from certain provisions of the act: None.

09-60-0052

System name: Disposition of Vocational Rehabilitation Report to Social Security Administration HEW SSA ODP.

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Disability claimants accepted for vocational rehabilitation services under the reimbursement provisions and now reported as closed (no longer receiving service).

Categories of records in the system: The name and social security number of the disabled beneficiary together with other statistical information such as type of claim, closure status, date of closure, State vocational rehabilitation code, date of form etc.

Authority for maintenance of the system: Section 222 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the

Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. The record serves as a statistical and accounting source for claimants involved in the vocational rehabilitation reimbursement program. The receipt of notice of closure Form SSA-853 clears the control.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc.

Retention and disposal: Tapes are maintained indefinitely.

System manager(s) and address:

Director
Office of Disability Programs
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The data is extracted from Forms SSA-853 - Vocational Rehabilitation Report to Social Security Administration which is completed by State offices of vocational rehabilitation.

Systems exempted from certain provisions of the act: None.

09-60-0053

System name: Reimbursement from Trust Fund for Vocational Rehabilitation Services HEW SSA ODP.

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Disabled claimants referred and undergoing consideration for vocational rehabilitation services; costs of such services to be reimbursed from social security trust or general funds providing a beneficiary status exists.

Categories of records in the system: The name and social security number of the claimant as well as vocational rehabilitation state and district office code, type of claim, amount of benefit (at time of referral), date of request for status.

Authority for maintenance of the system: Sections 222 and 1615 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. Serves as a control and monitor of vocational rehabilitation referral activity in the disability program in order to validate the use of trust funds and general funds expended for services rendered.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc.

Retention and disposal: Records are destroyed upon notification of closure from the State agency or upon expiration of five years from date record was created, whichever occurs first.

System manager(s) and address:

Director
Office of Disability Programs
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The basic record is prepared as the result of a written or teletyped request for benefit status from the State agency. Additional information is secured from the master beneficiary record and the supplementary security record files.

Systems exempted from certain provisions of the act: None.

09-60-0056

System name: Vocational Rehabilitation Savings Calculation HEW SSA ODP.

Security classification: None.

System location:

Office of Data Services
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Disability beneficiaries reported by State vocational rehabilitation agency as no longer receiving vocational rehabilitation service.

Categories of records in the system: The name and social security number of the beneficiary and identifying information about the notice of disclosure, the date of termination or reduction in benefits, if any, amount of benefit, amount of savings and other miscellaneous data.

Authority for maintenance of the system: Section 222 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes.

Retrievability: Access is by use of the social security number. The record serves primarily as a source for furnishing statistical and benefit information on the vocational rehabilitation reimbursement program.

Safeguards: Only authorized personnel having a need for this information in the performance of their official duties have access to this data under stringent security measures involving guards, identity cards and photographs, etc.

Retention and disposal: Tapes are maintained indefinitely.

System manager(s) and address:

Director
Office of Disability Programs
Baltimore, Maryland 21241

Notification procedure: Contact the systems manager, and furnish social security number, name, approximate date and place claim was filed, type of claim (disability, black lung, supplemental security income) and return address.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information is extracted and compiled from the vocational rehabilitation closure report, the master beneficiary record and the summary earnings record.

Systems exempted from certain provisions of the act: None.

09-60-0057

System name: Quality Evaluation Data Records HEW/SSA OA.
Security classification: None.

System location: Office of Assessment, Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals who have filed application for Social Security Disability Benefits and/or Supplementary Security Income Benefits.

Categories of records in the system: Social security numbers of claimants, demographic, diagnostic, and other types of data generated as a result of a review of the State actions on the claim.

Authority for maintenance of the system: Section 221 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The system consists of tape, paper, and disk records.

Retrievability: The records are maintained in SSN sequence. Records are used to report monthly results of the review of the state disability determination process.

Safeguards: Records are subject to the same rules and safeguards as all other information in SSA relating to claims and beneficiary records. (See Appendix J).

Retention and disposal: The records are maintained for a period of 36 months.

System manager(s) and address:

Director
Office of Assessment
Baltimore, Maryland 21235

Notification procedure: Contact the systems manager in writing and furnish social security number, name, approximate date, place claim was filed, type of claim (disability or supplemental security income) and return address. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Records are prepared from Form SSA 3094 and show decision, diagnosis and other information.

Systems exempted from certain provisions of the act: None.

09-60-0058

System name: Master files of Social Security Number Holders HEW SSA OEER.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All individuals who have obtained social security numbers.

Categories of records in the system: This system contains all of the information received on original applications for social security numbers and any changes in the information on the applications that are submitted by the social security number holder. Cross-reference may be noted where multiple numbers have been issued to the same individual; and indication that benefit claim has been made under this social security number.

Authority for maintenance of the system: Section 205(a) of the Social Security Act; Section 205(c) (2) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Employers are notified of the social security number of an employee in order to complete their records for reporting FICA to the Social Security Administration pursuant to the Federal Insurance Contributions Act and Section 218 of the Social Security Act.
2. State welfare agencies are notified on written request, of the social security numbers of AFDC applicants or recipients.
3. The Department of Justice (Federal Bureau of Investigation and United States Attorneys) for investigating and prosecuting violations of the Social Security Act.
4. The Department of Justice (Immigration and Naturalization Service) for the identification and location of aliens.
5. The Department of Justice (Federal Bureau of Investigation) and the Department of Treasury (United States Secret Service) for national security matters and in connection with threats on the life of the President or other dignitaries.

6. The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment and for administering the railroad Unemployment Insurance Act.
7. Energy Research and Development Administration for their study of the long-term effects of low-level radiation exposure.
8. The Treasury Department for tax administration as defined in 26 U.S.C. 6103 of the Internal Revenue Code and for investigating alleged theft, forgery, or unlawful negotiation of social security checks.
9. Contractors under contract to the SSA for the ongoing conversion of paper documents to machine readable form for entry into magnetic tape files.
10. A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
11. The Department of State and the VA Regional Office, Philippines for administering provisions of the Social Security Act in foreign countries.
12. The Department of Labor for administering provisions of title IV of the Federal Coal Mine Health and Safety Act and for studies of the effectiveness of training programs to combat poverty.
13. The Veterans Administration for validation of the social security numbers of compensation/pensioners in order to provide the release of accurate pension/compensation data by the Veterans Administration to the Social Security Administration for social security program purposes.
14. The Veterans Administration of information requested for purposes of determining eligibility for or amount of VA benefits, or verifying other information with respect thereto.
15. Federal agencies who use the Social Security number as a numerical identifier in their recordkeeping systems, for the purpose of validating social security numbers.
16. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
17. State Audit agencies for auditing State supplementation payments and medicaid eligibility considerations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in this system are maintained as paper forms, paper lists, punchcards, magnetic tape, microfilm, microfiche files, and disk with on-line access.

Retrievability: Records in this system are indexed both by social security number and by name. This information is used for the following purposes: by Social Security Administration as basic control for retained earnings information; by Social Security Administration as a basic control and data source to prevent issuance of multiple social security numbers; as the means to correctly identify incorrectly reported names or social security numbers on earnings reports; for resolution of earnings discrepancy cases; for statistical studies; by Health, Education, and Welfare Audit Agency for auditing benefit payments under social security programs; by Social and Rehabilitation Service (HEW) for locating deserting parents; by National Institute of Occupational Safety and Health for epidemiological research studies required by the Occupational Health and Safety Act of 1974; by Social and Rehabilitation Service (HEW) for administering Cuban refugee assistance payments.

Safeguards: All magnetic tapes and disks are within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have special badges issued only to authorized personnel. All microfilm, microfiche, and paper files are accessible only by authorized personnel who have a need to know. For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), systems securities are established in accordance with DHEW standards and National Bureau of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Expansion and upgrade of SSA's telecommunications systems will result in terminals equipped with physical key locks. The terminals will also be fitted with adapters to permit the future installation of data encryption devices and devices to permit the identification of terminals users.

Retention and disposal: All paper forms are retained until they are filmed or are entered on tape, and the accuracy verified, then they are destroyed by shredding. All tape, disks, microfilm, microfiche files are updated periodically. The out-of-date magnetic tapes and disks are erased. The out-of-date microfiche is shredded by the application of heat.

System manager(s) and address:

Director
Office of Enumerations and Earnings Records
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual may present a request for information as to whether this system contains records pertaining to himself by providing his name and social security number, or if the social security number is not known, date of birth, place of birth, mother's maiden name and father's name, and evidence of identity to the Director, Office Enumerations and Earnings Records, 6401 Security Boulevard, Baltimore, Maryland 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Social security number applicants; or individual acting on their behalf. The social security number itself is assigned to the individual as a result of internal processes of this system.

Systems exempted from certain provisions of the act: None.

09-60-0059

System name: Earnings Recording and Self-Employment Income System HEW SSA OEER.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Any person who has been issued a social security number and who may or may not have earnings under social security or self-employment income.

Categories of records in the system: This contains records of all social security number holders, their name, date of birth, sex, race, a summary of their yearly earnings, quarters of coverage, special employment codes (i.e., self-employment, military, agriculture, and railroad), benefit status and employer identification.

Authority for maintenance of the system: Section 205(a) of the Social Security Act and section 205(c)(2) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Employers or former employers, including State social security administrators for correcting and reconstructing State employee earnings records and for social security purposes.
2. The Treasury Department for investigating alleged theft, forgery, or unlawful negotiation of social security checks and for tax administration as defined in 26 U.S.C. 6103 of the Internal Revenue Code.
3. The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.
4. The Department of Justice (Federal Bureau of Investigation and United States Attorneys) for investigating and prosecuting violations of the Social Security Act.
5. The Department of Justice (Federal Bureau of Investigation) and the Department of Treasury United States Secret Service) for National security matters and in connection with threats on the life of the President or other dignitaries.
6. Energy Research and Development Administration for their study of low-level radiation exposure.

7. Congressional Office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
8. The Department of State and the VA Regional Office Philippines for administering provisions of the Social Security Act in foreign countries through facilities and services of those agencies.
9. The Veterans Administration for validation of the social security numbers of compensation pensioners in order to provide the release of accurate pension/compensation data by the Veterans Administration for social security program purposes.
10. State Audit agencies for auditing State supplementation payments and Medicaid eligibility considerations.
11. Federal agencies who use the social security number as a numerical identifier in their recordkeeping systems, for the purpose of validating social security numbers.
12. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
13. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in this system are maintained as paper forms, paper lists, punchcards, microfilm, magnetic, and disk with on-line access tape files.

Retrievability: Records in this system are indexed by social security number and name. This information is used for the following purposes: As a primary working record file of all social security number holders; as a quarterly earnings record detail file to provide full data in wage investigation cases; to provide information for determining amount of benefits; to record all incorrect or incomplete earnings items; to reinstate incorrectly or incompletely reported earnings items; to record the latest employer of a wage earner; for statistical studies; for identification of possible overpayments of benefits; for identification of individuals entitled to additional benefits; provide information to employers and former employers for correcting or reconstructing earnings records and for social security tax purposes provide worker and self-employed individuals with earnings statements or quarters of coverage statements; provide information to Health, Education and Education Audit Agency for auditing benefit payments under Social Security programs provide information to National Institute for Occupational Safety and Health for epidemiological research studies required by the Occupational Health and Safety Act of 1974. Anyone entering or leaving this enclosure must have special badges which are issued only to authorized personnel. All microfilm and paper files are accessible only by authorized personnel with a need to know. For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), systems securities are established in accordance with DHEW standards and National Bureau of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Expansion and upgrade of SSA's telecommunications systems will result in terminals equipped with physical key locks. The terminals will also be fitted with adapters to permit the future installation of data encryption devices and devices to permit the identification of terminals users.

Retention and disposal: All paper forms and cards are retained until they are filmed or are entered on tape and the accuracy verified, then they are destroyed by shredding. All tapes, disks, and microfilm files are updated periodically. The out of date magnetic tapes and disks are erased. The out of date microfilm is shredded.

System manager(s) and address:

Director
Office of Enumerations and Earnings Records
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Any individual may present a request for information as to whether this system contains records pertaining to himself by providing his social security number, name, signature, or other personal identification and referring to this system to Director, Office of Enumerations and Earnings Records, 6401 Security Boulevard, Baltimore, Maryland 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Social security number applicants, employers, self-employed individuals, Department of Justice (Immigration and Naturalization Service), Department of Treasury (Internal Revenue Service) master beneficiary record of Social Security Administration.

Systems exempted from certain provisions of the act: None.

09-60-0060

System name: Correspondence File of the Office of Central Operations HEW SSA OCO.

Security classification: None.

System location:

Office of Central Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Any individual requesting, reporting, or changing earnings information and/or inquiring about some aspect of the Social Security Act.

Categories of records in the system:

1. Correspondence received from individual, as well as copies of the replies to the correspondence concerning:
 - (a) general questions about the Social Security Act and/or
 - (b) adjustments of earnings, based on either the incoming correspondence or internal checks of the earnings record.
2. Minister waiver forms, i.e., forms filed by the clergy for the election or waiver of coverage under the Act.

Authority for maintenance of the system: Title II, Section 205(c)(2) of the Social Security Act; Federal Records Act of 1950 (64 stat. 583).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila Folders on open shelving.

Retrievability: Alphabetical, Employer Identification Number and Social Security Number. Reference file used to: (a) assist Social Security Administration correspondents in preparing replies to subsequent inquiries; (b) house minister waiver forms thus preventing an erroneous payment of social security benefits.

Safeguards: Only authorized personnel are permitted access to the files.

Retention and disposal:

- a. Records are maintained for periods of 1 year, 4 years or indefinitely as follows: Permanent Retention--All material which will affect the future development of claims; copies of coverage, wage and self-employment income determinations and proof documents. Four Years Retention--Correspondence and evidence upon which coverage, wage and self-employment income determinations are based; correspondence which must be held until statute of limitations has run. One Year Retention--General correspondence regarding returning documents to individuals, denial of confidential information, release of confidential information to a third party based on authorization and undeliverable material.
- b. Records are destroyed by shredding.

System manager(s) and address:

Director
Office of Enumerations and Earnings Records
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Director, Office of Enumerations and Earnings Records 6401 Security Boulevard, Baltimore Maryland 21235 Individual should provide the Social Security Administration with their full name and social security number and return address and refer to this system when requesting information.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Correspondence received from individuals, as well as copies of our replies to this correspondence. Also correspondence generated as a result of Social Security Administration internal checks of the earnings records.

Systems exempted from certain provisions of the act: None.

09-60-0061

System name: Record of Earnings Information Furnished for Non-Program Purposes. HEW SSA OCO

Security classification: None.

System location:

Office of Central Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Any individual or his survivor, or the legal representative of the individual or his estate, requesting earnings information for a non-program purpose.

Categories of records in the system: 1. Correspondence and/or related documents as well as copies of replies to the correspondence concerning earnings information from an individual's record. 2. Annotated index cards indicating individual case disposition.

Authority for maintenance of the system: Section 205 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila Folders and Index Card File.

Retrievability: Index Card - Alphabetical; Manila Folders - Quarterly, by Social Security Number.

Safeguards: Only authorized personnel are permitted access to the files.

Retention and disposal: No specific authority. Records are maintained as a working file for a period of three to six months or until final action has been taken on the request, and then destroyed.

System manager(s) and address:

Director
Office of Enumerations and Earnings Records
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: a. Director, Office of Enumerations and Earnings Records, 6401 Security Boulevard, Baltimore, Maryland 21235.

b. Individual should provide the Social Security Administration with his full name and social security number when obtaining information from the system.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Correspondence received from individuals or their legal representatives, and copies of subsequent replies to this correspondence.

Systems exempted from certain provisions of the act: None.

09-60-0063

System name: Total Resources and Information Management (TRIM).
System of Associate Commissioner for System HEW SSA OS.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All Employees of Director for Systems.

Categories of records in the system: All systems employees by clerk number; developmental project plans subdivided into tasks; task records include clerk number of the responsible employee (not all employees are assigned this type of work); operational project plans subdivided into tasks records which usually include clerk number of project manager; administrative functions (or projects) subdivided into task records do not include any clerk numbers; all employees by clerk numbers which are only used for printing names and reports.

Authority for maintenance of the system: Section 702 of the Social Security Act. (42 USC Sec. 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party; provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Online data bases - magnetic tape.

Retrievability: The system is used to plan and control work within the organization. In support of this function it prepares lists of current work assignments for employees and supervisors in due date order. Information is extracted each week and furnished to employ-

ees assigned to developmental work. Regular progress reports each week by project leader are basis for updating and/or correcting information. Programs permit retrieval of information by many parameters including clerk number.

Safeguards: Information distributed only to employee and supervisor.

Retention and disposal: Records are accessible only when active. After that time they are retained on magnetic tape.

System manager(s) and address:

Director for
Systems, Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual may contact the Chief, TRIM Staff, Systems, 6401 Security Boulevard, Baltimore, Maryland 21235, providing his name and clerk number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information is obtained from the individual or internal systems managers.

Systems exempted from certain provisions of the act: None.

09-60-0064

System name: Pending Social Security Number Applications HEW SSA ORC.

Security classification: None.

System location: District and branch office (see Appendix F).

Categories of individuals covered by the system: Individuals requesting social security numbers and replacement cards for lost social security numbers.

Categories of records in the system: Photocopy of SS-5 (Application for Social Security Number) or roster containing individual's name, social security number. Also contains the name and telephone number of the third party (employer, bank, welfare agency) to whom the individual has requested his correct social security number be furnished. Not all offices maintain this record. Some annotate the SS-5 with the name of the third party to be contacted on the reverse side.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party; provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: May be photocopy of SS-5 or roster with third party's name and telephone number.

Retrievability: By name and social security number.

Safeguards: Usually available on a need to know basis.

Retention and disposal: Photocopy or roster is destroyed when the third parties are notified.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F)

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applicant.

Systems exempted from certain provisions of the act: None.

09-60-0065

System name: Direct Input Source Documents HEW SSA ORC.

Security classification: None.

System location: District and branch office (see Appendix F.)

Categories of individuals covered by the system: Beneficiaries and applicants for retirement, survivors, or disability social security benefits, or health insurance benefits.

Categories of records in the system: Notices of death, annual report of earnings, change in marital status, address or student status, etc.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Documents are stored in file cabinets.

Retrievability: By name and social security number. Information from notices is transmitted by wire to central file to make changes that affect benefits of the individual. Source documents are retained in the district office 3 - 7 months.

Safeguards: Usually available only to people on a need to know basis.

Retention and disposal: Documents are retained 3 - 7 months and then destroyed.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Record source categories: Beneficiary.

Systems exempted from certain provisions of the act: None.

09-60-0066

System name: Claims Development Record HEW SSA ORC.

Security classification: None.

System location: District and branch office (see Appendix F.)

Categories of individuals covered by the system: Beneficiary, applicant, and inquirer for the various social security and black lung benefit programs.

Categories of records in the system: The file contains the name, address, and social security number of the individual. It also contains developmental notes concerning the requesting and receipt of documents required for processing a claim for benefits. Benefit amounts and date of entitlement may also be displayed.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8 X 10 and a half cards filed in standard file cabinets.

Retrievability: By name and social security number. Used as an interviewing tool, record of clearance of claims, and sometimes as a log of activity pertinent to continued entitlement to benefits.

Safeguards: Usually available to personnel on a need to know basis.

Retention and disposal: Specific destruction dates established depending on whether a claim is allowed or disallowed. Generally maintained for 6 months and then destroyed.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applicants, inquiries, third parties.

Systems exempted from certain provisions of the act: None.

09-60-0069

System name: Record of Claims (Microfiche) HEW SSA ORC.

Security classification: None.

System location: District and branch offices, teleservice centers, and other offices as listed in Appendix F 3. (See Appendix F.)

Categories of individuals covered by the system: Beneficiaries and denied applicants for social security and health insurance benefits, supplemental security income payments.

Categories of records in the system: Certain individual's name, address, social security number, date of birth, payment history, pertinent information concerning entitlement to health insurance benefits, representative payee data, etc.

Authority for maintenance of the system: Sections 205(a) and 1631 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfiche stored in special metal cabinets.

Retrievability: By name and social security number. Used by district, branch, and teleservice center offices to answer inquiries from beneficiaries. These offices and the Reconciliation and Analysis Unit also use it as a guide in development to determine continuing eligibility to benefits.

Safeguards: Cabinets are locked at night. Usually available to personnel only on a need to know basis.

Retention and disposal: New microfiche received every 3 months. Old microfiche destroyed by application of heat.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix).

Notification procedure: District, branch and teleservice center manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applicants.

Systems exempted from certain provisions of the act: None.

09-60-0075.

System name: Congressional Bills File HEW SSA OP.

Security classification: None.

System location:

Office of Legislative and Regulatory Policy
6401 Security Blvd.
Baltimore, Maryland 21235

Categories of individuals covered by the system: Members of Congress

Categories of records in the system: Listing of bills to amend the Social Security Act. Includes bill number, sponsor's name, state and party affiliation, date of introduction of bill, and a 3-digit subject code.

Authority for maintenance of the system: 5 U.S. Code 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. To the public upon request of information contained in the file under provisions of the Freedom of Information Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer terminal (magnetic tape), and paper listings.

Retrievability: Bill number, subject matter, name of sponsor for the purposes of (a) tracking social security legislation as it progresses in the Congress and (b) keeping a historical record and accounting of social security legislation.

Safeguards: Information is accessed on a limited need-to-know basis by staff of the Legislative Reference Office.

Retention and disposal: Retained for duration of each Congress. (Listing by subject matter is retained indefinitely.)

System manager(s) and address:

Legislative Reference Officer
Room 416 Altmeyer Building
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Systems Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Congressional Record.

Systems exempted from certain provisions of the act: None.

09-60-0077

System name: Congressional Inquiry File HEW SSA ORC

Security classification: None.

System location: District and branch office (see Appendix F.)

Categories of individuals covered by the system: Congressional representative.

Categories of records in the system: Correspondence to and from congressional representative.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in manila type folders.

Retrievability: Usually by name in alphabetical order.

Safeguards: Usually available to personnel on a need to know basis.

Retention and disposal: Generally retained for 6 months and may be retained longer.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F.)

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify

fy the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Congressional representative.

Systems exempted from certain provisions of the act: None.

09-60-0078

System name: Public Inquiry Correspondence File HEW SSA ORC.

Security classification: None.

System location: District and branch office (see Appendix F.)

Categories of individuals covered by the system: General public.

Categories of records in the system: Inquiries usually for benefit information.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders in standard file cabinets.

Retrievability: By name. File is retained in event inquirer requests additional information or files a formal application and the correspondence from the individual can be used as a filing date for benefit purposes.

Safeguards: Usually available only to personnel on a need to know basis.

Retention and disposal: Destroyed after 1 year.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information furnished by inquirer.

Systems exempted from certain provisions of the act: None.

09-60-0079

System name: Wage item file HEW SSA ORC.

Security classification: None.

System location: District and branch office (see Appendix F.)

Categories of individuals covered by the system: Workers who paid Federal Insurance Contribution Act and Self-employment taxes.

Categories of records in the system: Notices sent to district offices concerning individual's earnings were reported (either by employer or himself) using an incorrect social security number or failing to show any number. Some notices involve coverage questions of self-employment income.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. to the employer or wage earner to reconcile the data on the earnings report in order that the earnings can be credited to the correct social security number.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punch cards.

Retrievability: By name and social security number.

Safeguards: Non-sensitive material, generally available only on a need to know basis.

Retention and disposal: Retained only until the data is reconciled. It is then forwarded to the Office of Systems and subsequently destroyed by shredding.

System manager(s) and address: Director, Bureau of Field Operations, 6401 Security Boulevard,

Notification procedure:

Assistant Regional Commissioner, Field Operations
(See Appendix F)

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Employers tax returns and self-employment tax return of individual.

Systems exempted from certain provisions of the act: None.

09-60-0080

System name: Problem Case File HEW SSA OURV.

Security classification: None.

System location: District and branch office (see Appendix F.)

Categories of individuals covered by the system: Beneficiaries and applicants for social security benefits, health insurance, and black lung benefits.

Categories of records in the system: Beneficiary's name, address, social security number, nature of problem, and action being taken.

Authority for maintenance of the system: Sections 205(a) of the Social Security Act, and section 413(b) of the Federal Coal Mine Health and Safety Act (Black Lung).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Material is placed in manila type folders and stored in file drawers.

Retrievability: By name, may be in alphabetical order. Notes may be kept on difficult or continuing problem cases and maintained in a separate file. (This file is maintained by only a few offices).

Safeguards: File drawers are locked at night time.

Retention and disposal: File is broken down upon completion of the development. Pertinent documentation is sent to the reviewing office for permanent filing as a part of the claims folder.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Beneficiary or authorized representative.

Systems exempted from certain provisions of the act: None.

09-60-0081

System name: Problem Case File (Supplemental Security Income) HEW SSA ORC.

Security classification: None.

System location: Special offices located within the regional offices. (See Appendix F 3.)

Categories of individuals covered by the system: Applicants for supplemental security income payments.

Categories of records in the system: Listing of cases with date of eligibility in 1974 contains individual's name, social security number and in some cases additional information pertaining to factors of eligibility such as income, resources, and living arrangements. Claims folder containing application and documentation of factors of eligibility may also be in the file.

Authority for maintenance of the system: Section 1631 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Claims material is maintained in manila type folders. Also computerized paper listing.

Retrievability: By name and social security number. Complex cases requiring special expertise to process are controlled by this listing.

Safeguards: Available on a need to know basis.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: Write to the address specified in Appendix F 3.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applications for supplemental security income as provided by applicant.

Systems exempted from certain provisions of the act: None.

09-60-0082

System name: Forced Payment File (Supplemental Security Income) HEW SSA ORC.

Security classification: None.

System location: Special offices located within the regional offices. See Appendix F 3.

Categories of individuals covered by the system: Applicants for supplemental security income payments.

Categories of records in the system: Paper listing containing name, social security number, and type of action being taken on the case.

Authority for maintenance of the system: Section 1631 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper listing.

Retrievability: By name and social security number. Mainly used for control of cases requiring a special procedure for processing a claim for supplemental security income payments.

Safeguards: Available on a need to know basis.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F.)

Notification procedure: Write to the address specified in Appendix F 3.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applications for supplemental security income payments as provided by applicant.

Systems exempted from certain provisions of the act: None.

09-60-0083

System name: One Time Payment File HEW SSA ORC.

Security classification: None.

System location: Reconciliation Analysis Units located in regional offices (see

System location: Special offices located within the regional offices. See Appendix F 3. Appendix F.)

Categories of individuals covered by the system: Applicants for supplemental security income.

Categories of records in the system: File contains name of applicant, social security number, amount paid, months for which paid. Some records may also include other data pertaining to eligibility factors such as income, resources, living arrangement, etc.

Authority for maintenance of the system: Section 1631 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to State audit agencies pursuant to agreement with HEW for auditing State supplementation payments.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 X 8 card, tally strips or copies of form SSA-8110 (SSI One-Time Payment). Records, except for tally strips which are housed on a large drum type holder, are kept in file cabinets.

Retrievability: By name and social security number. Used in cases where one time payments are made; to insure that duplicate payments are not made.

Safeguards: Access limited to employees on a need to know basis. Area secured at night—doors locked.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
Bureau of Field Operations
(See Appendix F).

Notification procedure: Write to the address specified in Appendix F.3.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applications for supplemental security income as provided by applicant.

Systems exempted from certain provisions of the act: None.

09-60-0084

System name: Control File for Cases Before Presiding Officers HEW SSA ORC.

Security classification: None.

System location: Special offices located within the regional offices. See Appendix F.3.

Categories of individuals covered by the system: Applicants for supplemental security income payments.

Categories of records in the system: Card file contains individual's name, social security number, and chronological record of case processing. Claims file (if present) contains, in addition, factors of eligibility such as income, resources, living arrangements, etc.

Authority for maintenance of the system: Section 1631 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 X 8 card or SSA-250 (Development Worksheet). Claims material maintained in manila type folders.

Retrievability: By name and social security number. Informational purposes to answer inquiries from the applicant, social security district offices, and Bureau of Hearings and Appeals.

Safeguards: Available on a need to know basis.

Retention and disposal: Card files destroyed 4 months after effectuation takes place to make payments to applicant. Cases retained for at least 35 days from date of receipt from Presiding Officer to facilitate appeals process before forwarding for storage.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: Write to the address specified in Appendix F.3.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Applications for supplemental security income as provided by applicant.

Systems exempted from certain provisions of the act: None.

09-60-0085

System name: Claims Leads HEW SSA ORC.

Security classification: None.

System location: District and branch office (not maintained by all offices) (see Appendix F).

Categories of individuals covered by the system: Individuals potentially eligible for benefits under Titles II, XVI, XVIII of the Social Security Act.

Categories of records in the system: Leads from mental hospital admissions, welfare, Internal Revenue Service, Veterans Administration, etc., who may be eligible for benefits under the various social security programs. Lead forms generally contain name and address of individual, date of birth, existence of a mental or physical impairment, data on dependents, last date worked, etc.

Authority for maintenance of the system: Section 205(a) of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Letter size forms usually maintained in manila type folders and interfiled with pending claims and postentitlement file.

Retrievability: Filed by name in alphabetical order in claims pending file. Used to initiate contact with individuals to determine their eligibility for benefits.

Safeguards: File drawers locked at night. Usually only available to personnel on a need to know basis.

Retention and disposal: Leads maintained until claim is taken or 6 months from date inquirer is invited by letter to file a claim, whichever is earliest.

System manager(s) and address:

Assistant Regional Commissioner, Field Operations
(See Appendix F).

Notification procedure: District or branch manager (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Inquirer or third parties.

Systems exempted from certain provisions of the act: None.

09-60-0089

System name: Claims Folders and Post-Adjudicative Records of Applicants and Beneficiaries for Social Security Administration Benefits HEW SSA OCO.

Security classification: None.

System location: Retirement and Survivors Insurance Claims: Claims folders are maintained primarily in the Program Service Centers and the Division of International Operations (see Appendix A). Disability Insurance Claims: Disabled Insurance person under age 62 - Bureau of Disability Insurance (see Appendix B) or DIO (see Appendix A). Disabled person age 62 or older - RSI Program Service Center or DIO (see Appendix A). Black Lung Claims: Bureau of Disability Insurance (see Appendix B). Supplemental Security Income Claims: Claims folders are maintained in the Chicago Federal Archives Records Center.

In addition, claims folders are transferred to numerous other locations throughout the Social Security Administration, and the General Service Administration infrequently may be temporarily transferred to other Federal agencies (Department of Justice, or Office of the General Counsel, Department of Health, Education, and Welfare). The disability claims folders are also transferred to State agencies for disability and vocational rehabilitation determinations (see Appendix B). The claims folders are generally set up in district or branch offices when claims for benefits are filed. They are retained there until all development has been completed, then are transferred to the appropriate reviewing office as set out above. Supplemental security income claims folders are held in district or branch offices pending establishment of a payment record, or until the appeal period, in a denied claim situation, has expired. The folders are then transferred to a folder-staging facility in Chicago prior to transfer to the Chicago Federal Archives Records Center. For district or branch office information, see Appendix F.

Categories of individuals covered by the system: Claimants for retirement, survivors, disability, health insurance, or black lung benefits or supplemental security income payments.

Categories of records in the system: The claims folder is established when a claim for benefits is filed. It contains applications for benefits, earnings record information established and maintained by the Social Security Administration, documents supporting factors of entitlement and continuing eligibility, payment documentation, and correspondence to and from claimants and/or representatives. It may also contain data collected as a result of inquiries or complaints; and evaluation and measurement study of effectiveness of claims policies. Separate files may be maintained of certain actions which are entered directly into the computer processes. These relate to reports of changes of address, work status, and other post-adjudicative reports.

Authority for maintenance of the system: Payment of benefits is directed by the following sections: Sections 202-205, 223, 226, 228, 1611, 1631, 1818, 1836, and 1840 of the Social Security Act and Section 411 of the Federal Coal Mine and Health Safety Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses for disclosure may be to:

- a. Third party contacts by the Social Security Administration (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his affairs or his eligibility for or entitlement to benefits under the social security program when:
 - (1) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual), or
 - (2) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: the individual's eligibility to benefits under a social security program; the amount of a benefit payment; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement system activities.
- b. Third party contacts by the Social Security Administration where necessary to establish or verify information provided by representative payees or payee applicants.
- c. A person (or persons) on the rolls when a claim is filed by an individual which is adverse to the person on the rolls; that is:
 - (1) An award of benefits to a new claimant precludes an award to a prior claimant; or
 - (2) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the rolls; but only for information concerning the facts relevant to the interests of each party in a claim.
- d. Employers or former employers for correcting or reconstructing earnings records and for social security tax purposes only.
- e. The Treasury Department for collecting social security taxes or as otherwise pertinent to tax and benefit payment provisions of the Social Security Act, (including social security number verification services) and for investigating alleged theft, forgery, or unlawful negotiation of social security checks.
- f. The United States Postal Service for investigating alleged forgery of theft of social security checks.
- g. The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.
- h. The Department of State and the Veterans' Administration Regional Office Philippines for administering provisions of the Social Security Act in foreign countries through facilities and services of those agencies.
- i. The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Act relating to railroad employment and for administering the Railroad Unemployment Insurance Act.
- j. The Veterans' Administration for the purpose of administering 38 U.S.C. 412, and, upon request, of information needed for determining eligibility for or amount of VA benefits or verifying other information with respect thereto.
- k. The Department of Labor for administering provisions of Title IV of the Federal Coal Mine Health and Safety Act.
- l. State social security administrators for administration of agreements pursuant to section 218 (State and local).
- m. State Welfare Departments for administering Sections 205(c)(2)(B)(i)(II) and 402(a)(25) of the Social Security Act requiring information about assigned social security numbers for Aid to Families with Dependent Children program purposes only.

- n. State Welfare Departments pursuant to agreements with the Social Security Administration for administration of State supplementation payments, for determinations of eligibility for Medicaid per section 1634, and for enrollment of welfare recipients for medical insurance under Section 1843 of the Social Security Act, and for conducting independent quality assurance reviews of supplemental security income recipient records, provided that the agreement for federal administration of the supplementation provides for such an independent review.
- o. State Vocational Rehabilitation agency, or State crippled children's service agency (or another agency providing services to disabled children) for consideration of rehabilitation services per U.S.C. and 1382d.
- p. State audit agencies for auditing State supplementation payments and Medicaid eligibility considerations, and expenditures of Federal funds by the State in support of the Disability Determination Section (DDS).
- q. Private medical and vocational consultants for use in making preparation for, or evaluating the results of, consultative medical examinations or vocational assessments which they were engaged to perform by the Social Security Administration or a State agency acting in accord with sections 221 or 1633.
- r. Specified business and other community members and Federal, State, and local agencies for verification of eligibility for benefits under section 1631(e).
- s. Institutions or facilities approved for treatment of drug addicts or alcoholics as a condition of the individual's eligibility for payment under section 1611e and as authorized by regulations issued by the Special Action Office for Drug Abuse Prevention.
- t. To applicants, claimants, prospective applicants or claimants, other than the data subject, their authorized representatives or representative payees to the extent necessary to pursue social security claims and receive an account of benefit payments.
- u. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- v. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
- w. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Claims folders are maintained in file cabinets by service area as set out in Location above.

Retrievability: Filed in numerical sequence by social security number. The folders are used throughout the Social Security Administration for the purposes of determining, organizing, and maintaining documents for making normal determination as to eligibility to benefits, the amount of benefits, reviewing continuing eligibility, holding hearings or administrative review processes, and to ensure that proper adjustments are made based on events affecting entitlement. The folder may be referred to State Disability Determination Sections or Vocational Rehabilitation Agencies in disability cases. They may also be used for quality review, evaluation, and measurement studies, and other statistical and research purposes.

The claims folder constitutes the basic record for payments and determinations under the Social Security Act and the Federal Coal Mine Health and Safety Act (black lung). Data are used to produce and maintain the master beneficiary record system

(see Systems Notice) which is the automated payment system for retirement, survivors, and disability benefits; the supplemental security income automated system for the aged, blind, and disabled payments; the black lung payment process for black lung claims; and the Health Insurance and Billing and Collection Master record systems for Hospital and supplementary medical (medicare) insurance benefits.

This paper file is controlled by the Social Security Administration Claims Control System while the claim is pending development for adjudication in the district or branch office, and by the Case Control System once the folder has been transferred to the reviewing office (program service centers, Division of International Operations, or the Bureau of Disability Insurance).

Safeguards: Claims folders are protected through limited access to Social Security Administration records, limited employee access to need to know. All employees are instructed in Social Security Administration confidentiality rules as a part of their initial orientation training.

Retention and disposal: The claims folder is initially maintained in the reviewing office. Later, both active and inactive folders are transferred to the Federal Archives and Records Center for storage and inactive (no one is entitled to benefits) folders are scheduled for destruction. The time for retention prior to destruction is 5-year retention - no record of surviving potential beneficiaries; 20-year retention - withdrawn claims, claims disallowed or lump-sum death payments only, and 55-year retention - potential future claimants indicated in the file. When a subsequent claim is filed on the social security number, the claims file is recalled from the Records Center. Similarly, the claims files may be recalled from the Records Center at any time by the Social Security Administration as necessary in the administration of the social security programs.

System manager(s) and address:

Associate Commissioner
Office of Central Operations
6401 Security Boulevard
Baltimore Maryland 21235

Notification procedure: Contact the most convenient social security office (see Appendix F for address and telephone information). An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations (45 CFR, Section 5b.6) Federal Register, October 8, 1975, page 47411.)

Record access procedures: In order to find out if this system contains information about him, an individual may contact the most convenient social security office in person or in writing. The inquirer should provide his name, social security number, identify the type of claim he filed (retirement, survivors, disability, health insurance, black lung, special minimum payments, or supplemental security income) (if more than one claim was filed, each should be identified); whether he is or has been receiving benefits; whether payments are being received under his own social security number, and if not, the name and social security number under which received; if benefits have not been received, the approximate date and the place the claim was filed; and his return address or his telephone number. These access procedures are in accordance with DHEW Regulations 45 CFR, Section 5b. 47410.)

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: This information is obtained from the claimants, accumulated by the Social Security Administration from reports of employers or self-employed individuals, various local, State, and Federal agencies, claimant representatives and other sources to support factors of entitlement and continuing eligibilities.

Systems exempted from certain provisions of the act: None.

09-60-0090

System name: Master Beneficiary Record HEW SSA OURV.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All social security beneficiaries currently entitled to receive retirement, survivors, disability, and special minimum social security benefits; records for beneficiaries whose entitlement has been terminated because of a termination event as defined in the Social Security Act; and denied and disallowed cases.

Categories of records in the system: The master beneficiary data contains data applicable to all beneficiaries maintained on the record within a particular account and reflects the social security number under which benefits are awarded, the primary insurance amount (insured) or quarters of coverage required and earned (uninsured); provides information regarding benefit computation, insured status, use of railroad or military credits, and information for statistical and control purposes; contains the effective date of onset of disability for disability cases or date and proof of death for death cases; contains information pertinent to all beneficiaries receiving payment on the record and the name and address (including ZIP Code) of the payee, the servicing social security district office code and the amount of the monthly check payable; reflects any special status of a payment being made; contains statistical and identifying information for each individual on the record such as the beneficiary subscript, beneficiary name, date of birth, date of entitlement, sex, race, and benefit payment status; contains information for those beneficiaries enrolled in the health or supplemental medical insurance provision of the Social Security Act; contains information relating to annual reports of earnings, representative payee data, and cross-reference data pertinent to any other account on which the beneficiary may be entitled to benefits; and a chronological sequence of payment history for each beneficiary. The records may be in the following form: Master Beneficiary Record Computer File; Online Data Base (Query and Response); Various Microform Files as follows: Master File - a master record in social security number order, Alpha File - an alphabetic list of beneficiaries, Transaction File - monthly supplement (accretions, deletions, and changes) to the master file, in social security number order, Offline Query and Response, Treasury Payment Tape Files and Related Transaction Files, and Returned and Cancelled Check Files, and payment reference listing, Various One-Time Work Tape Files used in computer sorting of records and in subsystems processing of the master beneficiary record. After use they are returned to stock.

Authority for maintenance of the system: Payment of benefits is directed by the following sections: Sections 202a-205, 223, 226, 228, 1818, 1836, 1840 and of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses for disclosure may be to:

- a. Applicants or claimants, prospective applicants or claimants, other than the data subject, their authorized representatives or representative payees to the extent necessary to pursue social security claims and receive and account for benefit payments.
- b. Third party contacts by the Social Security Administration (without the consent of the individual to whom the information pertains) in situations where the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his affairs or his eligibility for or entitlement to benefits under the social security programs when:
 - (1) The individual is unable to provide the information being sought (an individual is considered to be unable to provide certain types of information when any of the following conditions exist: individual is incapable or of questionable mental capability, cannot read or write, cannot afford the cost of obtaining the information, a language barrier exists, or the custodian of the information will not, as a matter of policy, provide it to the individual), or
 - (2) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following: the individual's eligibility to benefits under a social security program; the amount of a benefit payment; any case in which the evidence is being reviewed as a result of suspected abuse or fraud, concern for program integrity, or for quality appraisal, or evaluation and measurement system activities.
- c. Third party contacts by the Social Security Administration where necessary to establish or verify information provided by representative payees or payee applicants.
- d. A person (or persons) on the rolls when a claim is filed by another individual which is adverse to the person on the rolls:
 - (1) An award of benefits to a new claimant precludes an award to a prior claimant; or

(2) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the rolls; but only for information concerning the facts relevant to the interests of each party in a claim.

- e. The Treasury Department for collecting social security taxes or as otherwise pertinent to tax and benefit payment provisions of the Social Security Act, (including social security number verification services) and for investigating alleged theft, forgery, or unlawful negotiation of social security checks.
- f. The United States Postal Service for investigating alleged forgery or theft of social security checks.
- g. The Department of Justice for investigating and prosecuting violations of the Social Security Act to which criminal penalties attach, for representing the Secretary, and for investigating issues of fraud by agency officers or employees, or violation of civil rights.
- h. The Department of State and the Veterans' Administration Regional Office Philippines for administering provisions of the Social Security Act in foreign countries through facilities and services of those agencies.
- i. The Railroad Retirement Board for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment and for administering the Railroad Unemployment Insurance Act.
- j. The Veterans' Administration for the purpose of administering 38 U.S.C. 412, and upon request, of information needed for determining eligibility for or amount of VA benefits or verifying other information with respect thereto.
- k. The Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act.
- l. The Department of the Treasury, Office of Tax Analysis, for studying the effects of income taxes and taxes on earning.
- m. The Civil Service Commission for the study of the relationship of civil service annuities to minimum social security benefits, and the effects on the trust fund.
- n. State social security administrators for administration of agreements pursuant to section 218 (State and local).
- o. State Welfare Departments for administering Sections 205(c)(2) (B)(i)(II) and 402(a)(25) of the Social Security Act requiring information about assigned social security numbers for Aid to Families with Dependent Children program purposes and for determining a recipient's eligibility under the AFDC and Medicaid programs.
- p. Energy Resources Development Administration for their study of the long-term effects of low-level radiation exposure.
- q. A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- r. Contractors under contract to the Social Security Administration or under contract to another agency with funds provided by the Social Security Administration for the performance of research and statistical activities directly relating to the Social Security Act.
- s. The Department of Labor, for statistical studies of the relationship of private pensions and social security benefits to prior earnings.
- t. In the event litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
- u. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, magnetic disk, microfilm, and paper.

Retrievability: Based on social security number on magnetic tape, disk, microfilm readers and printers, listings, and online computer terminals. Master beneficiary record data are used by a broad range

of social security employees for responding to inquiries, generating followups on beneficiary reporting events, computer exception processing, statistical studies, conversion of benefits, and to generate payment records for Treasury. Data are received from the States regarding health insurance third party premium payment/buy-in information. Data are made available to the Inspector General for use in the performance of his duties.

Safeguards: All magnetic tapes and discs are within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have special badges which are issued only to authorized personnel. All microfilm and paper files are accessible only by authorized personnel with a need to know. For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), systems securities are established in accordance with Departmental standards and National Bureau of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Retention and disposal: Magnetic tape records are used to update the disc files and then are retained up to 90 days; the majority of magnetic tape reels are erased and returned to stock after processing is completed, while the disc files are continuously updated and retained indefinitely. Microfilm is disposed of by shredding after periodic replacement of a complete file. Paper records are usually destroyed after use, by shredding, except where needed for documentation of the claims folder, in which case they are retained therein indefinitely (see notices for claims folders and post-adjudicative records of applicants and beneficiaries for social security benefits).

System manager(s) and address:

Director
Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the most convenient social security office (see Appendix F). The social security claim number (social security number plus alphabetic symbols), and name and address must be furnished with proper identification.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information for the master beneficiary record comes primarily from the claims folder and/or is furnished by the beneficiary at the time of filing for benefits, via the application form and necessary proofs, and during the period of entitlement when notices of events such as changes of address, work, marriage, are given the Social Security Administration by the beneficiary; from States regarding health insurance buy-in cases.

Systems exempted from certain provisions of the act: None.

09-60-0091

System name: Social Security Administration Claims Control System
HEW SSA OURV.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A control record is established when a claim(s) for Retirement, Survivors, Disability, and/or Health Insurance Benefits is filed on a particular social security number (SSN). Only one record is established for each social security number even though more than one claim may be filed simultaneously--e.g., claims for the wage earner, his wife, and children on one social security number.

Categories of records in the system: The record content is: social security number and wage earner's name; the date the application was filed--for a few cases it is not included because it is not known when the record is established; the type of action--i.e., Retirement, Survivors, Disability, and/or Health Insurance Benefits; the potential month of entitlement--for monthly benefits this will be the first month for which benefits may be paid; the code for the district office that processed the application; the district office that released the

claim to the State agency or program center; the present location of the claim; the date the claim was released by one office and received by another.

Authority for maintenance of the system: Section 205q of the Social Security Act--This provision necessitates a systems control of claims to ensure payment within prescribed time pars.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and disk for online and offline retrieval.

Retrievability: Indexed by social security number. This record system is used to control claims from the point they originate in a district office until they are finally processed to completion and enables the Administration to identify those claims for which inordinate delays occur. Once identified, expeditious processing is initiated. Moreover, the data present in the system is useful in the reconstruction of a claim if the application were to be lost.

Safeguards: Magnetic tape and disk records protected through standard security measures used for all SSA's computer records--limited access to Social Security Administration offices--limited employee access to computer facilities based on specific authorization. For computerized records, electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), systems securities are established in accordance with DHEW standards and National Bureau of Standards guidelines. Safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

Retention and disposal: The records on the magnetic tapes are purged when the decision of award or disallowance is made on the social security number or at 1 year from the date the record is established, whichever occurs first. The old versions of tapes are erased and returned to stock. The disk files are continuously updated and retained indefinitely.

System manager(s) and address:

Director
Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the most convenient social security office (see Appendix F). The social security claim number (social security number plus alphabetic symbols) and name and address must be furnished with proper identification.

Record access procedures: Same as notification procedure. The data in this system are extremely limited since the system is a mechanism used by the agency to control and expedite the processing of claims. Requesters, referencing the system, should provide name, social security number, approximate date and place claim was filed, type of claim (retirement, survivors, disability, or health insurance), and return address or phone number. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: It is maintained that little of the data in this system is contestible; however, should an individual wish to contest it upon review, he may discuss the matter with the staff of the the social security office specified under notification procedures above. If he decides to contest, he should reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The data are derived from the information furnished by the claimant on his application and by control data that is received as the claim is sent from the district office to other social security offices.

Systems exempted from certain provisions of the act: None.

09-60-0092

System name: Automated Control System for Case Folders HEW SSA OURV.

Security classification: None.

System location: Program Service Centers (See Appendix A), Office of Central Operations, Office of Disability Programs (See Appendix B).

Categories of individuals covered by the system: All claimants who have a social security number, have filed a claim under Titles II, retirement, survivors, and disability insurance; XVI, supplemental security income, and XVIII, health insurance, of the Social Security Act, and whose claims have been processed through to a decision of award, disallowance, withdrawal, or termination such claims are in the adjudication process for reaching the aforementioned decisions.

Categories of records in the system: A control record by social security number containing data relative to the location of the claim serviced by one of the offices maintaining jurisdictional responsibility. Whether the claims folder is maintained in that office, temporarily or permanently transferred to another office within the Social Security Administration, a State disability, or vocational rehabilitation agency, or for storage in a Federal Records Center.

Authority for maintenance of the system: The payment provisions of the Social Security Act and Federal Coal Mine Health and Safety Act, Sections 202, 223, 226, 228, 1611, 1631, 1818, and 1836 of the Social Security Act and 411 of the Federal Coal Mine Health and Safety Act. The information for this system is derived from the claims filing process and duplicates, in fact, that set out in the Claims Folder Systems Notice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disk storage files and magnetic tape files.

Retrievability: Social security number. The record system is used by the offices to identify the location of claims as well as enabling them to associate and process incoming material in a timely fashion. The identification and exact location feature assists Social Security Administration in meeting the standards of service to the public in processing and deciding claims for benefits. Data are also used to identify where operating weaknesses are to facilitate corrective action by management. Management data is also derived from the control records to provide statistical data relative to workloads, staffing, and manpower usage.

Safeguards: Disk and tape files protected through standard security measures used for all of Social Security Administration's computer records—limited access to social security offices, and limited employee access to computer facilities based on specific authorizations.

Retention and disposal: The control records are maintained indefinitely. No provisions have been made to dispose of the control records nor is any contemplated as of now. When disk files are rewritten, the old disks are erased and returned to stock.

System manager(s) and address:

Director
Office of User Requirements and Validations
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

1. Director for one of the program service centers (See Appendix A)
2. Director, Office of Central Operations, Professional Building for foreign claims

3. Director, Office of User Requirements and Validation,
Baltimore, Maryland 21235

Record access procedures: Same as notification procedures. The data in this file are extremely limited since the system is a mechanism used by the agency to locate claims folders and claims in process. Write to the appropriate official set out under notification above, referencing the system, providing name, social security number and related address. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: It is maintained that little of the data here is contestible; however, should an individual wish to contest it upon review, he may do so by writing to the official who was initially requested to furnish the information, indicating which data are contested, the reason it is contested, and providing social security number, name and related address. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The control records are developed from recordings of cards containing social security numbers and coded location identifiers. Also, magnetic tape files prepared in Baltimore containing social security numbers and location identifications are provided to the jurisdictional offices to reflect the location of claims wherever located in Social Security Administration offices.

Systems exempted from certain provisions of the act: None.

09-60-0093

System name: Billing and Collection Master Record System HEW SSA OURV.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Office of User Requirements and Validations
6401 Security Boulevard
Baltimore, Maryland 21235

Social Security Administration Program Service Centers
Division of International Operations (see Appendix A)

Categories of individuals covered by the system: This system contains records of all retirement, survivors, disability, or health insurance beneficiaries entitled to hospital insurance and/or supplementary medical insurance who are, or have been, subject to direct billing for insurance premiums. This includes individuals who: (1) are currently being billed directly for insurance premiums; (2) are not currently in direct billing status but have either a premium arrearage (or overpayment) of record or were at one time in direct billing status. It does not contain a record of any hospital or supplementary medical insurance enrollee who has had premiums deducted from monthly benefits or paid through a third party payer arrangement continuously from the initial month of entitlement.

Categories of records in the system: It contains identifying information as well as information regarding entitlement to hospital or supplementary medical insurance, current address information, individual records of premium payments, premium adjustments, refunds of excess payments, and current amounts due.

Authority for maintenance of the system: Sections 1840(e) and 1871 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Primary record storage is by magnetic tape and disk. Monthly updates of the record are also provided to the Social Security Administration program service centers, the Division of International Operations, Bureau of Retirement and Survivors Insurance, and the Division of Benefit Payments, Bureau of Disability Insurance, in microform records.

Retrievability: Magnetic tape, disk and microform records are indexed by social security number, or claim account number. It is used to: (1) generate monthly and quarterly premium billing notices; (2) record and process premium payments and adjustments; (3) refund excess premium payments; (4) terminate hospital and/or supplementary medical insurance coverage for non-payment of premiums; (5) reverse termination actions; (6) maintain a history of premium payments, adjustments, or other events which alter the billing status; (7) provide up-to-date premium and billing information to Social Security Administration clerical and electronic operations. Information is used to respond to specific beneficiary inquiries or to facilitate the proper adjustment of social security benefit payments. Information is also accessed electronically by social security benefit programs for the proper adjustment of payment amounts.

Safeguards: Magnetic tape, and disk records are protected through standard security measures used for all of Social Security Administration's computer records; microform records are subject to the same rules and security as all other information in Social Security Administration relating to claims and beneficiary records; limited access to Social Security Administration offices; limited employee access to need to know.

Retention and disposal: Microfilm and tape records can routinely be sent to the Federal Records Center after 2 years. However, since this record is updated monthly, even though the physical records are released to the Federal Records Center, current record will contain full history of all transactions. An inactive tape file, i.e., a file containing the records of cases where the enrollee has died, been in payment status for 2 or more years, etc., is maintained in each program service center. This file currently has no disposal schedule.

System manager(s) and address:

Director
Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: In order to ascertain whether or not this system contains information about him/her, an individual should contact the most convenient social security office and provide health insurance claim number as shown on Medicare health insurance card (see Appendix F).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The identification and entitlement/termination information for this system is extracted from Social Security Administration's Master Beneficiary Record. All other information is compiled from the individual's premium billing and payment histories.

Systems exempted from certain provisions of the act: None.

09-60-0094

System name: Recovery Accounting for Overpayments HEW SSA OURV.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Social Security Administration Program Service Centers (see Appendix A)

Office of Disability Operations
Baltimore, Maryland 21241

Office of Central Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Lists of overpaid individuals, which are produced by this computer system, are maintained at each district or branch office (see Appendix F).

Categories of individuals covered by the system: All social security beneficiaries who received an overpayment of benefits. All persons holding conserved (accumulated) funds received on behalf of a social security beneficiary. All persons who received social security payments on behalf of a beneficiary and were found to have misused those payments.

Categories of records in the system: Identifying characteristics of each overpayment or instance of misused or conserved funds. Name and address of the individual(s) involved. Recovery efforts made and the date of each action. Planned future actions.

Authority for maintenance of the system: Section 204(a) of the Social Security Act (42 United States Code 404(a)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, magnetic disk and microfiche in the Bureau of Data Processing. Microfiche in program service centers, the Bureau of Disability Insurance and the Division of International Operations. Paper listings in district and branch offices.

Retrievability: Magnetic tape, magnetic disk and microfiche indexed by social security number. The users of this system are employees of social security district and branch offices, as well as selected personnel of the Social Security Administration Program Service Centers, the Bureau of Disability Insurance, and the Division of International Operations. The data are used to maintain control of overpayments and misused or conserved funds from the time of discovery to the final resolution and for the proper adjustments of payment and refund amounts. Data adjustments produce accounting and statistical reports at specified intervals.

Safeguards: Magnetic tape, magnetic disk, microfiche and paper records are protected through standard security measures used for all of the Social Security Administration's records—limited access to Social Security Administration offices—limited access to files to employees on a need to know basis.

Retention and disposal: Magnetic tape files are updated daily and retained for 10 days, after which the tapes are erased and returned to stock. The magnetic tape file produced in the last operation of the month is retained in security storage for a period of 30 days, after which the tapes are erased and returned to storage. The microfiche records are updated monthly, retained for one month after the month they are produced, and then destroyed by application of heat. Paper listings are destroyed when overpayment issue is resolved or updated listing is received. The disk files are continuously updated and retained indefinitely.

System manager(s) and address:

Director
Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: In order to find out if this system contains information about him, an individual may contact the most convenient social security office (See Appendix F) or program center (See Appendix A). Provide name, social security number, the address, reference this system, and any other information which will assist in

locating the materials (e.g., data about a prior or current overpayment).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information for the computer files is received directly from beneficiaries, from district and branch offices, and as the result of earnings enforcement operations. The paper listings are updated as a result of the computer operations.

Systems exempted from certain provisions of the act: None.

09-60-0095

System name: Health Insurance Overpayment Ledger Cards HEW SSA OURV.

Security classification: None.

System location:

Social Security Administration
Program Service Centers

Office of Central Operations (See Appendix A)

Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21241

Categories of individuals covered by the system: All social security health and supplemental medical insurance enrollees who received incorrect medicare payments or services, who are determined liable, and against whom it is not possible to adjust subsequent Part A (Hospital) or Part B (Supplementary Medical) benefits.

Categories of records in the system: A clerical record of each overpaid medicare benefit, name and address of the individual(s) involved. Recovery efforts made and the date of each action. Planned future actions.

Authority for maintenance of the system: Sections 1814, 1833 and 1870 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card stock in metal cabinets.

Retrievability: By social security number. The users of this system are selected employees of both social security program service centers as well as Division of International Operations and Bureau of Disability Insurance. The information recorded by the program service centers is used to maintain control of medicare overpayments referred to the program service center from Health Care Financing Administration for recovery action. In these cases, Health Care Financing Administration is unable to recoup the overpayment by adjusting subsequent medicare benefits. The information on the ledger cards is also used to produce periodic accounting, management, and statistical reports.

Safeguards: Records protected through standard security means for all of the Social Security Administration's clerical records, limited access to buildings and limited access by employees on a need to know basis.

Retention and disposal: Retained in the program service center for a period of one year after collection efforts terminated and then transferred to the Federal Records Center where they are retained for 3 years, then destroyed.

System manager(s) and address:

Director
Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure:

Social Security Administration Program Service Centers

Division of International Operations (See Appendix A)

Office of Disability Operations
6401 Security Boulevard
Baltimore, Maryland 21241

Record access procedures: Same as notification procedures. An individual may access any information maintained about him in this system. He or she should write to the appropriate office (based on social security number) as set out in Appendix A, providing his social security number, and a referencing this system of records. Requesters should also specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information is received indirectly from the providers of Medicare services through the Health Care Financing Administration and directly from the Health Care Financing Administration as a result of their audit procedures.

Systems exempted from certain provisions of the act: None.

09-60-0096

System name: Control System for Delayed, Critical, or Sensitive Case Inquiries HEW SSA OURV.

Security classification: None.

System location:

Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Inquiry and Expediting Staffs of the Social Security
Administration
Program Service Centers (see Appendix A for addresses)

Office of Central Operations
6401 Security Boulevard
Baltimore, Maryland 21235

Copies of individual files are also maintained by the district or branch office at which an inquiry of this nature originates (see Appendix F).

Categories of individuals covered by the system: Social security beneficiaries or persons inquiring on their behalf who are reporting failure to receive a check or checks which they believe are due or are inquiring about other matters which have been determined to be of a critical or sensitive nature (e.g., failure to receive a check).

Categories of records in the system: The name and social security number of the individual and identifying information about the source of the inquiry (e.g., the individual, congressman, authorized representatives), the problem involved, and its subsequent resolution.

Authority for maintenance of the system: Section 205(q) of the Social Security Act (42 U.S.C. 405(q)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to the inquirer; may include contact with the Treasury Department to determine if payment was issued or check returned for cash.
1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. Respond to the inquirer.
4. The Treasury Department to determine if payment was issued or check returned for cash.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Control cards and inquiry sheets; copies of letters to individuals or persons writing on their behalf (e.g., congressmen, authorized representatives) advising them of the resolution of their inquiries.

Retrievability: By name and/or social security number. The users of this system are selected employees of social security program service centers, the Division of International Operations, and field offices. The information is used to issue a check to a beneficiary who reports failure to receive a check or checks which he believes is due for to expedite action on other requests of a critical or sensitive nature.

Safeguards: The control records are subject to the same rules and safeguards as all other information in Social Security Administration relating to claims and beneficiary records—limited access to the Social Security Administration offices, and limited employee access based on need to know.

Retention and disposal: Control cards are maintained for 6 months after which they are destroyed by shredding. Inquiry sheets are destroyed after 1 year by shredding. Letters are maintained for 2 years and then destroyed by shredding, except those originating in the program service centers and the Division of International Operations. They are maintained in the claims folder as part of the file. District and branch office copies are destroyed after the investigation has been completed.

System manager(s) and address:

Director
Office of User Requirements and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: In order to ascertain whether or not this system contains information about him/her, an individual should contact the most convenient social security office and provide the system name, social security number, and return address, or phone number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The information is derived from the individual or someone on his behalf, the individual's claims record, and the contacts within the Social Security Administration or outside the Social Security Administration (e.g., Treasury Department) needed to obtain the information.

Systems exempted from certain provisions of the act: None.

09-60-0097

System name: Program Integrity Case Files HEW SSA OA.

Security classification: None.

System location:

Office of Assessment
6401 Security Boulevard
Baltimore, Maryland 21235

Program Integrity Field Units located in: Program Service Centers (see Appendix A), disability insurance regional offices (see Appendix B), and supplemental security income program regional offices (see Appendix D.2).

Categories of individuals covered by the system: Persons suspected of having violated the criminal provisions of the Social Security Act where substantial basis for criminal prosecution exists, and defendants in criminal prosecution cases.

Categories of records in the system: Information maintained in each record includes the identity of the suspect, the nature of the alleged offense, documentation of the investigation into the alleged offense, and the disposition of the case by the Social Security Administration or the United States Attorney.

Authority for maintenance of the system: Sections 206, 208, 221, 222, 1106, 1107, 1631(d)(2), 1632, of the Social Security Act, and section 413 of the Federal Coal Mine Health and Safety Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to officers or employees of State government as well as the CHAMPUS program for use in conducting investigations of possible fraud or abuse against the title XIX or CHAMPUS program.
2. To States Attorneys in connection with State programs involving the Social Security Administration.
3. In cases involving fraudulent tax returns or forgery of social security checks are disclosed to the Treasury Department.
4. To the U.S. Postal Service for investigating alleged forgery or the theft of social security checks.
5. To State and local police authorities for the purposes of investigating the loss, theft, and/or forgery of Medicare checks.
6. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
7. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
8. to third party contacts for the purpose of establishing or negating a violation of the Social Security Act or related provisions of the U.S. Criminal Code.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual system, records maintained in manila folders and stored in filing cabinets.

Retrievability: Records are indexed and retrieved by social security number or by name of the subject of the investigation. The information in this record system pertains to suspected violations and fraud investigations. Cases may move through several levels of the Social Security Administration organization at the district, regional and/or central office locations during the course of documenting a suspected fraudulent situation.

Material in this system of records is used by SSA staff to determine if a violation of the penal provisions of the Social Security Act or related provisions of the United States Code has been committed. If so, such material is used as the basis for referral of the case to the Department of Justice for consideration of prosecution. The material is also used to determine the direction of investigation of potential fraud situations.

Safeguards: Records are maintained in locked filing cabinets and are accessed only by employees with a job-related need for the information.

Retention and disposal: Records may be retained 5 years after final disposition of the case. At the end of the retention period, the records are destroyed by shredding.

System manager(s) and address:

Director, Division of Program Integrity Office of Assessment
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: An individual can determine if this system contains a record pertaining to him by requesting such information in writing from the system manager. The request should include the individual's name and social security number, any social security

number on which he or she has filed for or received benefits, the type of such claim, and current claim status. An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Per 5 United States Code 522a (k)(2), the records in this system are exempt from access by the individual named in the records. However, access to information which is a matter of public record or documents furnished by the individual will be permitted.

Contesting record procedures: Same as above.

Record source categories: The information contained in this record system is the result of criminal investigation and may be derived from such sources as the suspect, witnesses, or Social Security Administration employees with a knowledge of the case.

Systems exempted from certain provisions of the act: Exemption of this system to the access provisions is claimed under section k(2) of the Privacy Act inasmuch as these records are investigatory materials compiled for program (law) enforcement in anticipation of a criminal proceeding. (See page 47413 of Federal Register of 10/8/75, Vol. 40, No. 196, Part V).

09-60-0100

System name: Litigation Activity File HEW SSA OIP.

Security classification: None.

System location:

Office of Insurance Programs
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Plaintiffs who have filed court actions against the Secretary of HEW.

Categories of records in the system: Basically, the file is used as a reference and control vehicle for analysts involved in litigation activity. The records contain documentation concerning specific litigation cases. For example, documentation includes copies of suggested replies to interrogatories and factual summaries, copies of memoranda to implement court decisions, requests for information from Office of General Counsel and in response to the Office of General Counsel's requests for information, etc. Also included is documentation regarding telephone calls, personal contacts, and letters concerning routine activity on a particular litigation case.

Authority for maintenance of the system: Section 205(g) of the Social Security Act, 42 U.S.C. 402(g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is stored in file cabinets.

Retrievability: File maintained in alphabetical order by plaintiff's last name, and is used by analysts working with the Office of the General Counsel and the reviewing offices for maintaining knowledge of the status of individual court cases.

Safeguards: Limited access based on need to know.

Retention and disposal: Files are maintained until all final actions are completed. After final actions are completed, files are destroyed by shredding.

System manager(s) and address:

Director
Office of Insurance Programs
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the systems manager in writing, and provide name, social security number, return address, and system name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information is recorded from the complaint received from the Office of General Counsel and other correspondence, decisions, recommendations, etc.

Systems exempted from certain provisions of the act: None.

09-60-0101

System name: Court Case Record File HEW SSA OIP.

Security classification: None.

System location:

Office of Insurance Programs
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Plaintiffs who have filed court actions against the Secretary of HEW.

Categories of records in the system: Record contains: Plaintiff's name, wage earner's name, Social Security number, the date the complaint was filed, the issue involved (e.g., plaintiff contesting HEW's date of birth determination), action taken on complaint, cross reference to litigation folder (see systems notice regarding Litigation Activity File).

Authority for maintenance of the system: Section 205(g) of the Social Security Act, 42 U.S.C. 402(g).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards are stored in a file cabinet.

Retrievability: They are filed alphabetically by plaintiff's last name. Also, these cards are used as reference cards and locator cards to find the litigation material.

Safeguards: Limited access to Social Security Administration offices; limited employee access based on need to know.

Retention and disposal: Never destroyed. Closed cases after litigation report is completed are placed in boxes in alphabetical order.

System manager(s) and address:

Director
Office of Insurance Programs
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the systems manager in writing and provide name, social security number, return address, and systems name.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information is recorded from the complaint received from the Office of the General Counsel and other correspondence, decisions, recommendations, etc.

Systems exempted from certain provisions of the act: None.

09-60-0102

System name: Fee Ledger System for Representatives HEW SSA OIP.

Security classification: None.

System location: Records pertaining to representatives in retirement, survivors, disability, health insurance, supplemental security income and black lung benefit claims are maintained at the following locations:

Office of Insurance Programs
6401 Security Boulevard
Baltimore, Maryland 21235

(For all claims where a fee petition was processed through November

1974 involving retirement, survivors, disability, and supplemental security for the aged.)

Office of Disability Operations
6401 Security Boulevard
Baltimore, Maryland 21241

(For all claims involving disability benefits, black lung and supplemental security income for the blind and disabled)

Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

(For all claims that involve a hearing for disability, retirement, survivors benefits, health insurance, black lung, or supplemental security income)

Categories of individuals covered by the system: Attorneys and non-attorney representatives of claimants before the Social Security Administration.

Categories of records in the system: Name and address of representative, firm affiliation, if any, claimant's social security number, fee requested by representative, amount of fee approved by the Social Security Administration, amount withheld from claimant's past-due benefits, date the fee was approved, type of services rendered, reviewing and approving offices.

Authority for maintenance of the system: Sections 206 and 1631(d) of the Social Security Act, and section 413(b) of the Federal Coal Mine Health and Safety Act of 1969.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The central reference files are maintained by the Office of Insurance Programs on ledger cards, and kept in metal file cabinets. In addition, when the ledger cards are destroyed, an alphabetic listing, which is manually maintained, is prepared to indicate that the representative has appeared before the Social Security Administration in the past. The Offices of Disability Operations, Assistance Programs and the Health Care Financing Administration maintain

carbon copies of the Petition to obtain approval of a fee for representing a social security claimant. These copies, when maintained, may include a copy of the Social Security Administration's authorization to charge and receive a fee, and are filed in metal filing cabinets in the case of the Office of Hearings and Appeals, they are maintained in metal file cabinets.

Retrievability: Records are generally indexed alphabetically by name of the representative. If the representative is an attorney and no specific name is furnished the record is filed according to the name of the firm. The Office of Hearings and Appeals, however, maintains its file based on social security number of the claimant.

Safeguards: Normal security measures are imposed. Only those Social Security Administration employees with a job-related need for the information can have access to the records in this system.

Retention and disposal: Ledger records are retained by the Office of Disability Operations for a period of 5 years from the date of the latest entry. If no entries are recorded within this period, the record is destroyed. When the ledger is destroyed, the name, address of the representative, and at least one social security number of an involved claim, is recorded and indexed for indefinite retention. Copies of the representatives petition are maintained in the Office of Insurance Programs until pertinent data are transferred to the ledger cards, then the copies are destroyed by shredding. Records in the Offices of Disability of Operations (through November 1978), the Office of Assistance Programs, and Hearings and Appeals are maintained indefinitely.

System manager(s) and address: See location for appropriate manager to contact.

Director, Office of Insurance Programs
6401 Security Boulevard
Baltimore, Maryland 21235

Director, Office of Disability Operations
6401 Security Boulevard
Baltimore, Maryland 21241

Director, Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Notification procedure: An individual can determine if this system contains a record pertaining to him by writing to the appropriate system manager. When the appropriate manager cannot be identified, the individual may contact the Director, Office of Insurance Programs. All requests should include the representative's name and address, type of claim, date the fee was approved, and social security number under which the claim was filed.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: All information is extracted and compiled from forms SSA-1560, Petition to Obtain Approval of a fee for Representing a Social Security Claimant, which is completed by the representative and form SSA-1560A, Authorization to Charge and Receive a Fee, which is prepared by the Social Security Administration.

Systems exempted from certain provisions of the act: None.

09-60-0103

System name: Supplemental Security Income Record HEW SSA OURV.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235
District Offices, Branch Offices and BSSI Regional Offices.
(See Appendices D and F)

Categories of individuals covered by the system: This file contains a record for each individual who has applied for supplemental security income (SSI) payments including individuals who have requested an

advance payment, and SSI recipients who have been overpaid and for each essential person associated with an SSI recipient.

Categories of records in the system: This file contains data regarding SSI eligibility, citizenship, residence, medicaid eligibility, eligibility for other benefits, alcoholism or drug addiction data, if applicable (disclosure of this information may be restricted by 21 U.S.C. 1175 and 42 U.S.C.), income data, resources, payment amounts, including overpayments amounts, and data and amount of advance payments, living arrangements, case folder location data, appellate decisions, if applicable, social security numbers used to identify a particular individual, and a history of changes to any of the preceding categories for all persons who have applied for SSI payments.

Authority for maintenance of the system: Sections 1602, 1611, 1612, 1613, 1614, 1615, 1616, 1631, 1633, and 1634 of Title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure from this record may be made to:

1. the Treasury Department to prepare supplemental security income benefit checks.
2. the States to establish the minimum income level for computation of State supplement;
3. the following Federal and State agencies to prepare information for verification of benefit eligibility under section 1631(e):
 - a. Bureau of Indian Affairs
 - b. Civil Service Commission
 - c. Department of Agriculture
 - d. Department of Labor
 - e. Immigration and Naturalization Service
 - f. Internal Revenue Service
 - g. Railroad Retirement Board
 - h. State Pension Funds
 - i. State Welfare Offices
 - j. State Workmen's Compensation
 - k. Department of Defense
 - l. United States Coast Guard
 - m. Veterans Administration
4. a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
5. Identify title XVI eligibles under the age of 16 to State crippled children's agencies (or other agencies providing services to disabled children) for the consideration of rehabilitation services per section 1615 of the Social Security Act.
6. contractors under contract to the Social Security Administration or under contract to another agency with funds provided by SSA for the performance of research and statistical activities directly relating to Social Security Act.
7. State audit agencies for auditing State supplementation payments and Medicaid eligibility consideration;
8. Veterans Administration information requested for the purposes of determining eligibility for or amount of VA benefits or verifying other information with respect thereto
9. the Railroad Retirement Board for administering the Railroad Unemployment Insurance Act.
10. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
11. effect and report the fact of Medicaid eligibility of title XVI recipients in the jurisdiction of those States which have elected Federal determinations of Medicaid eligibility of title XVI eligibles and to assist the States in administering the Medicaid program.
12. identify title XVI eligibles in the jurisdiction of those States which have not elected Federal determinations of Medicaid eligibility in order to assist those States in establishing and maintaining Medicaid rolls and in administering the Medicaid program.

13. enable States which have elected Federal administration of their supplementation programs to monitor changes in applicant/ recipient income, special needs, and circumstances.
14. enable States which have elected to administer their own supplementation programs to identify SSI eligibles in order to determine the amount of their monthly supplemental payments.
15. enable the States to locate potentially eligible individuals and to make determinations of eligibility for the food stamp program.
16. enable the States to assist in the effective and efficient administration of the supplemental security income program.
17. enable those States which have an agreement with the Secretary, to carry out their functions with respect to Interim Assistance Reimbursement per Section 1631(g) of the Social Security Act.
18. enable States to locate potentially eligible individuals and to make eligibility determinations for extensions of social services under the provisions of title XX.
19. assist the States in determining initial and continuing eligibility in their income maintenance programs and for investigation and prosecution of conduct subject to criminal sanctions under these programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, magnetic disc, and microfiche.

Retrievability: Magnetic tape, magnetic disc, and microfiche are indexed by social security number. Supplemental Security Income records begin in the social security district office where an individual files an application for supplemental security income payments. This application contains data which may be used to prove the identity of the applicant to determine his eligibility for SSI payments and, in cases where eligibility is determined, to compute the amount of the payment. Information from the application, in addition to data used internally to control and process SSI cases, is used to create the Supplemental Security Income Record. The Supplemental Security Income Record is also used as a means of providing a historical record of all activity on a particular individual's record. In addition, statistical data is derived from the Supplemental Security Income Record for actuarial and management information purposes.

The Online Claims data are used to expeditiously provide supplemental security income data, upon request, to social security field offices around the nation.

The Case Currently in Process file contains, primarily, eligibility and case folder location data for internal control purposes within the Social Security Administration.

Since many records enter the supplemental security income system under an identifying number other than the correct supplemental security income case number, the system must have the capability of locating the correct case number in order to properly process the case. The Index File provides this capability in addition to eliminating the possibility of the accretion of duplicate number on the supplemental security income master record.

The Advance Payment File is used as a preventive measure against the issuance of duplicative advance supplemental security income payments to individual.

The Supplemental Security Income Overpayment File is used to maintain a historical record of overpayment data for all supplemental security income recipients, and in processing bills to the respective States for their share of supplemental security income overpayments.

The State Data Exchange File is comprised of eligibility and payment information obtained by the Social Security Administration in the administration of the supplemental security income program. Magnetic tape and microfilm are indexed according to social security number, State welfare identification number category (aged, blind or disabled), county, or surname in order to supply information to the States in accordance with program administration agreements, and for social Security Administration management purposes.

The Financial Accounting Exchange (FAX) file is provided to the States for which the Social Security Administration administers mandatory and optional SSI supplementation to verify and document SSI automated payments, and for related statistics, budgeting, monitoring, and auditing purposes.

The Supplemental Security Income-Audit Trail Microfiche is used to provide complete historical data for each supplemental security income master record. This data includes transactions which effectuate changes to the Supplemental Security Income master record.

Safeguards: All magnetic tapes and magnetic discs are within an enclosure attended by security guards. Anyone entering or leaving that enclosure must have special badges which are only issued to authorized personnel. All authorized personnel having access to the magnetic records are subject to the penalties of the Privacy Act. The microfiche are stored in locked cabinets, and are accessible to employees only on a need-to-know basis. All Supplemental Security Income Record (State Data Exchange records) are protected in accordance with agreements between the Social Security Administration and the respective States regarding confidentiality, use, and redisclosure.

Retention and disposal: Original input transaction tapes received which contain initial claims and posteligibility actions are retained indefinitely although these are processed as received and incorporated into processing tapes which are updated to the master supplemental security income tape file on a monthly basis. All magnetic tapes appropriate to SSI information furnished specified Federal, State, and local agencies for verification of eligibility for benefits and under section 1631 (e) are retained, in accordance with the Privacy Act accounting requirements, for at least 5 years or the life of the record, whichever is longer.

System manager(s) and address:

Director Office of User Requirement and Validation
6401 Security Boulevard
Baltimore, Maryland 21235
Social Security District and Branch Offices (See Appendix F).

Notification procedure: An individual can determine if this system contains a record pertaining to him or her by writing to a social security district or branch office (See Appendix F).

An individual who requests notification of or access to a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Same as notification procedures. Requesters should also reasonably identify the record and specify the information they are contesting. These procedures are in accordance with DHEW Regulation, 45 CFR, Section 5b.

Record source categories: The information contained within the Supplemental Security Record is obtained for the most part from the applicant for SSI payments and is derived from the claims folder. The States also provide data affecting the Supplemental Security Income Record (State Data Exchange Files).

Systems exempted from certain provisions of the act: None.

09-60-0110

System name: Supplemental Security Income File of Refunds HEW SSA OURV.

Security classification: None.

System location:

Office of User Requirement and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: This file contains refund records for any aged, blind, or disabled individual who was overpaid or not entitled.

Categories of records in the system: This file contains information about refunds sent in by persons who were overpaid or not entitled to Supplemental Security Income payments they received. Specific information is name of individual, social security number, date of refund, and amount of refund.

Authority for maintenance of the system: Sections 1602, 1611, and 1631 of Title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
3. State audit agencies pursuant to agreements with HEW for auditing State supplementation payments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The source document is filed in standard filing cabinets by bank deposit schedule number. The cross reference listing, in social security number sequence, by month is maintained in binders. This information is keyed directly onto tape which is kept in SSA'S tape library. The tapes are used to prepare the cross reference listings and to input the information into the system. The manual file is maintained in social security number sequence so that inquiries and refunds from district offices can be answered.

Retrievability: Listings are referenced by social security number.

The file is established after the money received has been recorded and deposited in the Federal Reserve Bank. The money refunded is broken down into Federal share and State share for accounting purposes. The information is input to the electronic system to be matched against the same information being entered by district offices. This serves as an audit.

Listings are referenced by social security number.

Safeguards: The source documents and listings are kept in an area which is secured at night—doors locked. Information is only furnished to other Social Security Administration components with limited access by employees on a need-to-know basis. The magnetic tapes are retained in secure storage areas accessible only to authorized persons within the Office of Systems. The storage area is controlled by marshalls responsible for insuring that only authorized personnel are admitted. Official identification badges or passes are required to gain entrance to the storage area. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: The source documents and listings are being held indefinitely. Eventually they will be retired to the Federal Record Center. The tapes are stored in the Social Security tape library.

System manager(s) and address:

Director Office of User Requirement and Validation
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the Systems Manager and provide name, social security number, the systems name, and pertinent information about your case.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The receipt form completed by an employee in the social security district office plus the actual check, money order, etc., used to remit the money.

Systems exempted from certain provisions of the act: None.

09-60-0111

System name: Debit Voucher File (Supplemental Security Income) HEW SSA OURV.

Security classification: None.

System location:

Office of User Requirement and Validation
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: The file contains a record for aged, blind, or disabled individuals who have negotiated two checks for the same month incorrectly.

Categories of records in the system: The SF-1081, Voucher and Schedule of Withdrawals and Credits, is sent to the Office of Management, Budget and Personnel from the Department of Treasury billing the Social Security Administration for addition monies expended on their behalf. It contains the identification of the individual, name and social security number, and amount of money involved.

Authority for maintenance of the system: Sections 1602, 1611 and 1631 of Title XVI of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
- (3) To State audit agencies pursuant to agreements with HEW for auditing State supplementation payments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets and binders.

Retrievability: After the Office of Management, Budget and Personnel has paid the Department of Treasury the requested funds, the overpayment data are entered into the electronic system. The original documents (photocopies of erroneously negotiated checks sent by Treasury as well as copies of bounced checks submitted by individuals in payments of overpayments) are filed for future reference by the Social Security District and Branch Offices when they attempt to collect the money from the individual. A cross-reference listing on the social security number is maintained. The money amount is allocated to the Federal share and State share for accounting purposes. The listings is in social security number sequence.

Safeguards: Access limited to employees on need to know basis. Area secured at night—doors locked.

Retention and disposal: The records are being held indefinitely. They will eventually be retired to the Federal Records Center.

System manager(s) and address:

Director Office of User Requirement and Validation
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Contact the Systems Manager and provide name, social security number, identify the systems name, and pertinent information about your case.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Bureau of Government Financial Operations of the Department of the Treasury.

Systems exempted from certain provisions of the act: None.

09-60-0117

System name: Age at First Payment of Retirement Insurance Benefit HEW SSA OP.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Recently entitled retirement insurance beneficiaries.

Categories of records in the system: Payment history and demographic information.

Authority for maintenance of the system: Section 702 of the Social Security Act. (42 USC Sec. 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: Individual records are identified by claim account number for statistical uses.

Safeguards: All magnetic tapes are retained in secure storage areas accessible only to authorized persons within the Bureau of Data Processing and Data Development. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: This system is updated infrequently and magnetic tapes are returned to blank stock.

System manager(s) and address:

Deputy Chief Actuary, Short-Range Estimates
Office of the Actuary, Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: For purposes of access the claim account number is required; write to the systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master Beneficiary Record.

Systems exempted from certain provisions of the act: None.

09-60-0118

System name: Non-Contributory Military Service Reimbursement System HEW SSA OP.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: A sample of beneficiaries who have non-contributory military service credits.

Categories of records in the system: Covered earnings, benefit and payment status.

Authority for maintenance of the system: Section 217, 229, and 231 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: The file is indexed with claim account numbers; the data are used for statistical purposes.

Safeguards: All mag-tape files are retained in secure storage areas accessible only to authorized persons within the Bureau of Data Processing and Data Development, Office of Management Administration and Office of the Actuary. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals.

Retention and disposal: This system is updated annually. At this time, we have no provision for the disposal of individual records.

System manager(s) and address:

Deputy Chief Actuary, Short-Range Estimates
Office of the Actuary, Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: For purposes of access, the claim account number is required; write to the systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Social Security Administration master beneficiary record, Social Security Administration summary earnings record, Social Security Administration claims folder.

Systems exempted from certain provisions of the act: None.

09-60-0119

System name: Special Age 72 Benefit Trust Fund Transfer Project HEW SSA OP.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Includes all individuals entitled under the Prouty amendments.

Categories of records in the system: Benefit entitlement, demographic information, and earnings records.

Authority for maintenance of the system: Section 223 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any

Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: Individual records are identified by claim account number. To determine an amount of money to be transferred from General Revenue, to the Old Age and Survivors Insurance Trust Fund.

Safeguards: All magnetic tapes are retained in secure storage areas accessible only to authorized persons within the Bureau of Data Processing and Data Development. All employees having access to records have been notified of criminal sanctions for unauthorized disclosures of information on individuals.

Retention and disposal: This system is updated periodically and magnetic tapes are eventually returned to blank stock.

System manager(s) and address:

Deputy Chief Actuary, Short-Range Estimates
Office of the Actuary, Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: For purposes of access the claim account number is required; write to the systems manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master Beneficiary Record and Earnings Record.

Systems exempted from certain provisions of the act: None.

09-60-0128

System name: Retirement, Survivors and Disability Insurance Claims Study HEW SSA OA.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Office of Assessment
Division of Program Measurement and Evaluation
6300 Security Blvd.
Baltimore, Md. 21235

Social Security Administration Program Service Centers and Office of Central Operations (see Appendix A).

Office of Disability Operations
Baltimore, Maryland 21241

Categories of individuals covered by the system: National stratified probability sample of individuals allowed or denied benefits, as well as those awarded lump sum death benefits, beginning November 1964 for retirement and survivors claims, May 1966 for disability claims.

Categories of records in the system: Demographic characteristics of beneficiary, description of allegations, evidence and findings, and case control data.

Authority for maintenance of the system: Section 205 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Contacting third parties for verification of information given by claimants. Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information is recorded on magnetic tape and claims folders are returned to program centers.

Retrievability: Identification sequence number. This is a study to evaluate the effectiveness of retirement, survivors, and disability insurance program policies. Data from this study are compiled for evaluative purposes, and subsequently stored in the claims folders. Adverse data received in the conduct of this study may be used to review earlier claims or post adjudicative decisions.

Safeguards: All folders are kept in secure areas, accessible only to Division of Program Measurement and Evaluation personnel (i.e. statisticians, analyst, and programmer). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Disposal of file folders is conducted in accordance with Social Security Administration guidelines for Title II claims, while magnetic tapes are held for 5 years before being erased.

System manager(s) and address:

Chief, Director, Division of Program Measurement and Evaluation
Social Security Administration
6300 Security Boulevard
Baltimore, Md. 21235

Notification procedure: For purposes of access, write the systems manager, he will require name of system, social security number, and, for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, the month and year in which the individual was allowed or denied benefits (retirement or disability).

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record, summary earnings record, supplemental security record, Title II claims folders, survey data collected by Social Security Administration employees.

Systems exempted from certain provisions of the act: None.

09-60-0129

System name: Adjudication of Supplemental Security Income Claims Study HEW SSA OA.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Office of Assessment
Division of Program Measurement and Evaluation
6300 Security Boulevard
Baltimore, Maryland 21235
Social Security Administration Program Service Centers
and Office of Central Operations (see Appendix A)

Office of Disability Operations
Baltimore, Maryland 21241

Categories of individuals covered by the system: National stratified probability sample of individual allowed or denied supplemental security income benefits since January 1975.

Categories of records in the system: Demographic characteristics of the beneficiary, description of allegations, evidence and findings, and case control data.

Authority for maintenance of the system: Sections 205 and 1631 of the Social Security Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Contacting third parties for verification of information given by claimants. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All records are stored on magnetic tape.

Retrievability: Identification sequence number. This is a study to evaluate the effectiveness of supplemental security income program policies. Data from this study are compiled for evaluation purposes and subsequently stored in the claims folders. Adverse data received in the conduct of this study may be used to review earlier claims or post adjudicative decisions.

Safeguards: All folders are kept in secure areas, accessible only to the Division of Program Measurement and Evaluation personnel (i.e. statisticians, analyst, and programmer). For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Disposal of file folders is conducted in accordance with Social Security Administration guidelines for Title XVI claims, while magnetic tapes are held for 5 years before being erased.

System manager(s) and address:

Director, Division of Program Measurement and Evaluation,
OA
Social Security Administration
6300 Security Boulevard
Baltimore, Md. 21235

Notification procedure: For purposes of access, write the systems manager; he will require name of system, social security number, and, for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, the month and year in which the individual was allowed or denied supplemental security income benefits.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record, summary earnings record, supplemental security record, Title II, XVI claims folders, survey data collected by Social Security Administration employees.

Systems exempted from certain provisions of the act: None.

09-60-0130

System name: Quality of Service Measurement Program Based Upon Consumer Opinions HEW SSA OA.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: This system will contain data to be taken at periodic intervals from samples of recipients of social security (including Medicare) and supplemental security income benefits, applicants for benefits, and visitors and callers to the social security local offices and teleservice centers.

Categories of records in the system: Consumer opinions and perceptions of services provided to the public.

Authority for maintenance of the system: Section 702 of the Social Security Act. (42 USC Sec. 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To contractor for performance of research and statistical operations as required by contract.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer records on magnetic tape, sample listings, and questionnaires.

Retrievability: Records will be indexed by social security number or name.

Safeguards: For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: Identifiers will be removed from all records as soon as data collection process is complete.

System manager(s) and address:

Director, Division of Program and Measurement and
Evaluation, OA
Social Security Administration
6300 Security Boulevard
Baltimore, Md. 21235

Notification procedure: For purposes of access, write the systems manager; he will require name of system, social security number, and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, an indication of whether or not the individual had ever filed for social security benefits and if so, when, and whether the individual had ever contacted local social security offices or telecenters.

Record access procedures: Same as above. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Same as above. Requesters should also identify the record and specify the information they are contesting. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record; supplemental security record; administrative disallowance list prepared within the program center; denial record (831); continuing disability investigation form (833); data to be collected by contractor; case folders.

Systems exempted from certain provisions of the act: None.

09-60-0148

System name: Matches of Internal Revenue Service and Social Security Administration Data with Census Survey Data (Joint Social Security Administration/Census Statistics Development Project) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Bureau of the Census
Suitland, Maryland 20233

HEW Data Management Center
330 Independence Avenue, S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Samples of United States civilian population and those Armed Forces personnel residing with their families as of March 1973, 1975, 1976 and subsequent periods to be determined.

Categories of records in the system: Basic demographic characteristics from Census survey-labor force, work experience and income items from the survey; Social Security Administration earnings and benefit record information; selected Internal Revenue Service tax return items.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902), Title 13 U.S. Code (authority for Census Participation)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. (through the Census Bureau) to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of

the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape.

Retrievability: Records are indexed by social security number during the matching steps at the Social Security Administration and Census but identifiers are not retained at the Social Security Administration after matching is completed.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. During those matching steps which occur at the Social Security Administration, identifiable data is solely under the control of a limited number of social security employees who are sworn to uphold the Census and IRS statutes as well as the confidentiality restrictions of the Social Security Administration. Similar provisions are made for the handling of identifiable data from the project at the census Bureau. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel.

Retention and disposal: Following the match, all identifiers are removed from the records kept at the Social Security Administration. The Census Bureau retains identifiers for possible longitudinal updating. Records with identifiers will be held in secure storage areas at the Census Bureau and will be disposed of as soon as they are determined to be no longer needed for Census or SSA analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Social Security Administration master beneficiary record; Social Security Administration earnings records and self-employment income system; Internal Revenue Service tax returns; Census surveys; Social Security Administration Supplemental Security Income record.

Systems exempted from certain provisions of the act: None.

09-60-0149

System name: Matches of Internal Revenue Service and Social Security Administration Data (Joint Social Security Administration/Treasury Department Statistics Development Project) HEW/SSA/OP.

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Treasury Department
15th & Pennsylvania Ave., N.W. Washington, D.C. 20220

HEW Data Management Center
330 Independence Ave., S.W.
Washington, D.C. 20201

Categories of individuals covered by the system: Samples of persons filing Federal Income Tax returns for 1970, 1972, 1975, and selected subsequent years.

Categories of records in the system: Social Security Administration demographic data; Social Security Administration earnings and benefit record information; tax return data.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902) and Treasury Regulations

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. (through the Treasury Department) to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. to the Treasury Department in connection with statistical studies conducted for Social Security Administration and Treasury Department purposes.
3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape.

Retrievability: Records are indexed by social security number during the matching steps at the Social Security Administration, but identifiers are not retained at the Social Security Administration. The major matching step is carried out entirely at Treasury.

Safeguards: Safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers.

Retention and disposal: Identifiable data are retained by the Social Security Administration only during the match process. Once matching is complete all computer tapes are turned over to the Treasury Department. A matched SSA-Treasury file is provided to Social Security for its research use. The Social Security Administration does not have detailed Internal Revenue Service data with identifiers at any point in the matching process. The minimum amount of Internal Revenue Service data with identifiers needed to validate the processing is used by the Social Security Administration. Identifiers may be retained on the Treasury copies of intermediate and matched files. The retention of these identifiers is needed for possible further matching: for example, with similar data for different years.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Social Security Administration master beneficiary record; Social Security Administration earnings recordings and self-employment income system; Internal Revenue Service Federal tax returns.

Systems exempted from certain provisions of the act: None.

09-60-0159

System name: Continuous Work History Sample (Statistics) HEW SSA OP.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Bureau of Census
Washington, DC 20233

Categories of individuals covered by the system: A sample of persons with social security numbers issued through the cutoff date of the file. Included are those working for the Federal government and those covered by the Railroad Retirement Act, as well as those covered under social security.

Categories of records in the system: Demographic characteristics; employer information; type of work information; earnings information; self-employment information; insured status information; benefit status; geography information (residence).

Authority for maintenance of the system: Section 702 of the Social Security Act. (42 USC Sec. 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. Energy Research and Development Administration for their study of the long-term effects of low-level radiation exposure;
2. Department of Labor for administering provisions of Title IV of the Federal Coal Mine Health and Safety Act and for studies on the effectiveness of training programs to combat poverty;
3. Civil Service Commission for the study of the relationship of civil service annuities to minimum social security benefits; and the effects on the trust fund;
4. Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to the Social Security Act;
5. A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual;
6. A Federal or State agency (or its agent) lawfully charged with the administration of a Federal or State unemployment compensation law or contribution or tax levied in connection therewith, for the purpose of such administration but solely for use in compiling statistics to be used in aggregated or anonymous forms.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data are stored on magnetic tape.

Retrievability: The file is indexed with social security numbers.

Safeguards: Initial processing is performed by Census Bureau. During the matching steps which occur at the Social Security Administration, identifiable data is under the control of a limited number of social security employees who have sworn to uphold the Census statute. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines (e.g. security codes) will be used, limiting access to authorized personnel.

Retention and disposal: This is a longitudinal sample. Records with identifiers will be retained as long as needed to permit addition of future earnings and other Social Security Administration program data for individuals in sample.

System manager(s) and address:

Director, Office of Research and Statistics
Social Security Administration, Room 1121
1875 Connecticut Avenue, NW
Washington, D.C. 20009

Notification procedure: For purposes of access, write the systems manager; he will require name of system, social security number, and for verification purposes, name (woman's maiden name, if applicable), address, date of birth and sex, and to ascertain whether the individual's record is in the system, years during which covered earnings were reported and years of self-employment, if any.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record; earnings summary record; quarterly earnings items file; employer identification file;

tification of Personnel Action (SF-50); Railroad Retirement Board master file; Internal Revenue Service name and address file.

Systems exempted from certain provisions of the act: None.

09-60-0183

System name: Matches of Social Security Administration, Department of Defense and Veterans Administration Data Relating Earnings History to Armed Forces Training Experience. (Statistics) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Categories of individuals covered by the system: Samples of enlisted men who separated from active duty during fiscal 1969 after having satisfactorily completed one term of service.

Categories of records in the system: Social Security Administration earnings information, selected Department of Defense socio-demographic and post-service data, and limited Veterans Administration program participation information.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made: the record

1. to a congressional office from of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on magnetic tape.

Retrievability: Records are indexed by social security number during the matching steps at the Social Security Administration. Identifiers are not made available outside SSA.

Safeguards: Safeguards established in accordance with Department standards and National Bureau of Standards guidelines are being employed (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel. Employees having access to identified records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers.

Retention and disposal: Computer records with identifiers will be held in secure storage areas and will be disposed of (by degaussing) as soon as they are determined to be no longer needed for SSA analysis. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office Research and Statistics
Social Security Administration
Universal North Building/Room 1121

1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also to verify identity, provide name, address, and date of birth.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Social Security Administration earnings recordings and self-employment income system and Department of Defense Manpower Research and Data Analysis Center post-service file; veterans entitlement and program participation data from VA.

Systems exempted from certain provisions of the act: None.

09-60-0184

System name: Hearing Office Master Calendar HEW SSA OHA.

Security classification: None.

System location: All Hearing Offices (See Appendix G).

Categories of individuals covered by the system: Claimants - Titles II, XVI, XVIII, and Black Lung.

Categories of records in the system: A list of all cases pending in the hearing office.

Authority for maintenance of the system: Sections 205, 1631(d)(1) and 1872 of the Social Security Act, as amended, and Section 413(b) of the Federal Coal Mine Health and Safety Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folders in filing cabinets.

Retrievability: Social security number. Enables the hearing office to ascertain location of case within the office and maintain control of the pending case load.

Safeguards: Limited access to SSA offices; limited employee access to need to know.

Retention and disposal: As each case is disposed of, it is removed from the master calendar.

System manager(s) and address:

Associate Commissioner
Office of Hearings and Appeals, Room 402
3833 North Fairfax Drive
Arlington, Virginia 22203

Notification procedure:

Social Security Administration
Office of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Written request to above address. Individual should provide name and social security number.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify

fy the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Hearing office personnel, from information on incoming cases.

Systems exempted from certain provisions of the act: None.

09-60-0186

System name: Litigation Master Record File--HEW,SSA,OR.

Security classification: None.

System location:

Social Security Administration
OR Litigation Staff
Room 4319 WHR
Baltimore, MD 21235

Categories of individuals covered by the system: Individuals who are involved, as plaintiffs or defendants, in civil litigation concerning one or more of the programs administered by SSA.

Categories of records in the system: Complaints filed by individuals against the Secretary, HEW. Court orders and decisions regarding cases in litigation. Related litigation materials.

Authority for maintenance of the system: Section 205(a) Social Security Act (42 USC 405(a)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made: the record of an

1. to a congressional office from individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On paper files in filing cabinets. Only members of the OR Litigation have access to these records on a need-to-know basis.

Retrievability: The records will be stored alphabetically by plaintiff's name.

Records maintained by the OR Litigation Staff will be used by the Staff in the course of their responsibilities for formulating and coordinating responses to interrogatories and recommendations regarding the appeal of adverse court decisions. The records will also be maintained to enable Staff personnel to review and analyze court decisions and to direct the implementation of interim and final court orders.

Safeguards: The file will be maintained in locked file cabinets and staff personnel will limit access only to authorized personnel. All personnel having access to the records will be informed of criminal sanctions for unauthorized disclosure on individuals.

Retention and disposal: Normally, records will be retained for two years after the expiration of the appeal period. Certain cases in which constitutional/policy issues are involved (e.g., Supreme Court cases) will be retained indefinitely by Litigation Staff. All other records will be transferred to OR Reference Room to be retained for history purposes.

System manager(s) and address: Director, Office of Regulations
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: For purposes of access, write the system manager: he will need name, and for verification purposes, social security number, address, date of birth, and sex. Furnishing the SSN is voluntary, but it will make searching for the individual's record easier and avoid delay.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being

sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: The social security claims folder, the Master Beneficiary Record, the Supplemental Security Record, the Social Security Administration Data Access and Retrieval System, plaintiff's complaints, court orders, court decisions, and court directives.

Systems exempted from certain provisions of the act: None.

09-60-0194

System name: Direct Deposit Survey (Statistics). HEW SSA OA.

Security classification: None.

System location:

Office of Assessment
Division of Measurement and Evaluation
6300 Security Blvd.
Baltimore, Maryland 21235

Office of Systems
6401 Security Blvd.
Baltimore, Maryland 21235

Contractor Site--unknown--when known, this information will be available from Systems Manager upon request.

Categories of individuals covered by the system: A sample of individuals from these groups:

- a. Individuals who are receiving social security benefits and having them deposited directly in financial institutions.
- b. Individuals receiving social security benefits who have not elected to have their benefits deposited directly in financial institutions.
- c. Individuals receiving social security benefits who had elected the direct deposit option but who subsequently elected to stop using it.

Categories of records in the system: Selected Survey Responses reflecting individuals' knowledge of and experience with the Direct Deposit option; Social Security Administration program benefit and demographic data.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 U.S.C., Section 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to: a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual; An organization under contract with the Social Security Administration of information necessary to enable the contractor to comply with the conditions of the agreement to perform research and statistical functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Completed data tape and questionnaire hard copy with identifiers will be kept by DPME Project Officer. The questionnaire hard copy in a locked file; the tape in a secure computer facility.

Retrievability: Records from the survey data tape and questionnaire hard copy will be retrievable by name and social security number until after merger with SSA program data; i.e., until end of calendar year 1979.

Safeguards: During field survey and editing, identification of tapes and documentation of tape data contents are restricted to the SSA Project Staff and the contractor's project staff. Hard copy of questionnaires are kept in locked storage cabinets located in locked rooms and can only be accessed with the permission of the project manager. All persons using tape data or having access to hard copy are notified of criminal penalties for unauthorized disclosures of information about individuals. Similarly, the contractor's staff operates under the same sanctions. Contractor transmits all survey data to SSA Project Staff at the end of field survey. Access to completed data tape is controlled by the SSA Project Officer. Security measures have been incorporated in the software specifications of the system that were designed to prevent accidental and intentional unauthorized disclosure.

Retention and disposal: Questionnaire hard copy and completed tape with identifiers will be retained until the end of calendar year

1979 at which time both will be destroyed. Retrieval will then no longer be possible.

System manager(s) and address:

Director
Division of Program Measurement and Evaluation, OA
6300 Security Blvd.
Baltimore, Maryland 21235

Notification procedure: Provide system manager with name of system, name and social security account number, on a voluntary basis.

Record access procedures: Same as notification procedure. Requestor should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Contact the systems manager at the address specified, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Interview data completed with individuals in the survey sample. SSA program information and demographic data from social security records.

Systems exempted from certain provisions of the act: None. p 1

09-60-0196

System name: Disability Studies Survey Records, (Statistics) HEW, SSA, OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Bureau of the Census
Washington, D.C.
Jeffersonville, Indiana

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system: Sample groups of adults who are current or potential recipients of Social Security disability payments.

Categories of records in the system: Socio-economic, demographic, medical and disability characteristics, attitudes, earnings and employment history, benefits, and use of medical and rehabilitative services.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy questionnaire forms, microfilm, punch cards, magnetic tape, disc, or printouts.

Retrievability: Files based on SSA sample populations are indexed by SSA-assigned case numbers or social security numbers. Files based on Census sample populations are indexed by Census-assigned case numbers cross-referenced to social security numbers in files available only to Census agents.

The Office of Research and Statistics use this data to examine the economic, medical, and social consequences of limitations in work activity for the disabled person and his or her family. The data are also used to evaluate disability program provisions and proposals for policy and legislative changes.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes for use outside of the research staff will be stripped of personal identifiers. For

computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked files, etc.) restricting access to authorized personnel.

Retention and disposal: Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for SSA analysis. Identifiers will be removed at the earliest possible time after data collection is completed. The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention. In longitudinal studies, working files are stripped of identifiers and given randomly assigned case numbers. A separate link file will be maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: SSA administrative records (Master Beneficiary Record, earnings recordings and self-employment income system, disability case folders, etc.) and/or survey data collected by contractor. Bureau of the Census records may be used to create sampling frame.

Systems exempted from certain provisions of the act: None.

09-60-0197

System name: Disability Studies Records and Extracts (Statistics) - HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Contractor sites: Addresses may be obtained by writing to the systems manager (see below)

Categories of individuals covered by the system: Samples of applicants for and recipients of disability benefits, including specifically selected subsets of each category, also applicants/participants in State Vocational Rehabilitation Programs.

Categories of records in the system: Socio-economic, demographic, medical and disability characteristics, earnings, employment history, benefits, and use of medical and rehabilitative services.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Sec.902)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy forms, microfilm, magnetic tape, disc, punch cards, or printouts.

Retrievability: Files are indexed by social security number. Data are used within the Office of Research and Statistics for program planning and evaluation purposes such as participation in and relative effectiveness of rehabilitation programs, determination of the characteristics of program applicants and benefit recipients, etc.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel.

Retention and disposal: Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purpose of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also, to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulation, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record, earnings records and self-employment income system, disability claims folder, disability data record, case service reports of the Vocational Rehabilitation Agencies (R-300), Bureau of Hearings and Appeals record locator, Health Insurance Master File and related files, and SSA Administrative Awards File.

Systems exempted from certain provisions of the act: None.

09-60-0198

System name: Extramural Research Administrative File - HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Personnel described in research project proposals submitted for grant or contract consideration.

Categories of records in the system: Professional qualifications and other relevant information about project personnel. Direct and indirect information on individual salaries may be included.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC 902); Section 1110 of the Social Security Act (42 USC 1310).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To the court or to a party in connection with any civil or criminal action to which the Secretary is a party or otherwise involving a program administered by the Social Security Administration.

3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems necessary to the Department of Justice to enable that Department to effectively represent such party; provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy forms, magnetic tape, disc, punch cards, or printouts, or in file cabinets.

Retrievability: Files are indexed by HEW-assigned number. Data are used within HEW for administrative analyses.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel.

Retention and disposal: Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Bldg./Rm.1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the systems manager. He will need to know the project title and number, name of contractor or grantee organization and the name of the person requesting notification.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Project proposals submitted for grant or contract consideration.

Systems exempted from certain provisions of the act: None.

09-60-0199

System name: Extramural Surveys (Statistics) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system: Samples of individuals who are current or potential recipients of benefits from Social Security and related programs; personnel administering SSA and related programs.

Categories of records in the system: Socio-economic, demographic, medical and disability characteristics; attitudes concerning subjects such as health, work experience, and family relationships; earnings and employment history, benefits, use of medical and rehabilitative services.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902) Section 1110 of the Social Security Act (42 USC, Section 1310).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy questionnaire forms, microfilm, punch cards, magnetic tape, disc, or printouts.

Retrievability: Files based on SSA sample populations are indexed by SSA-assigned case numbers or social security numbers. Files based on contractor sample populations are indexed by contractor-assigned case numbers which may be cross-referenced to social security numbers.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes for use outside of the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked files, etc.) restricting access to authorized personnel.

Retention and disposal: Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for analysis. Identifiers will be removed at the earliest possible time after data collection is completed. The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention. In longitudinal studies, working files are stripped of identifiers and given randomly assigned case numbers. A separate link file will be maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, 5b.

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Survey data obtained by the contractor; SSA administrative records.

Systems exempted from certain provisions of the act: None.

09-60-0200

System name: Retirement and Survivors Studies Survey Records (Statistics) - HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Bureau of the Census
Washington, D.C.
Jeffersonville, Indiana

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Datacrown/SDL
770 Brookfield Road
Ottawa, Ontario
K1B 6J5

Contractor sites: Addresses may be obtained by writing to the system manager. (see below)

Categories of individuals covered by the system: Sample groups of adults or children who are current, past or potential recipients of Social Security payments, or pension or survivor benefits from public or private sources.

Categories of records in the system: Socio-economic, demographic, medical, insurance, welfare, attitudes, earnings, employment, and benefits.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy questionnaire forms, microfilm, punch cards, magnetic tape, disc, or printouts.

Retrievability: Files based on SSA sample populations are indexed by SSA-assigned case numbers. Files based on Census sample populations are indexed by Census-assigned case numbers. Cross-reference to social security numbers may exist during data collection.

Data are used within ORS for program planning and evaluation purposes, to identify changes in the beneficiary populations, and to evaluate benefit adequacy, etc.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes for use outside of the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked files, etc.) restricting access to authorized personnel.

Retention and disposal: Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for SSA analysis. Identifiers will be removed at the earliest possible time after data collection is completed. The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention. In longitudinal studies, working files are stripped of identifiers and given randomly assigned case numbers. A separate link file will be maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security

number (on a voluntary basis). Also to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: SSA administrative records (e.g. Master Beneficiary Record; earnings recordings and self-employment income systems and/or survey data collected by contractor. Bureau of the Census records may be used to create sampling frame.

Systems exempted from certain provisions of the act: None.

09-60-0201

System name: Retirement and Survivors Studies Records and Extracts (Statistics) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Datacrown/SDL
770 Brookfield Road
Ottawa, Ontario
K1B 6J5

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system: Sample groups of adults or children who are current, past, or potential recipients of Social Security payments, or pension or survivor benefits from public or private sources.

Categories of records in the system: Socio-economic, demographic, medical, insurance, welfare, earnings, employment, benefits.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Sec.902)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy forms, microfilm, magnetic tape, disc, punch cards, or printouts.

Retrievability: Files are indexed by social security number. Data are used within the Office of Research and Statistics for program planning and evaluation purposes, to identify changes in the beneficiary populations, and to evaluate benefit adequacy, etc.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel.

Retention and disposal: Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable

records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purpose of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also, to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record, earnings recordings and self-employment income system.

Systems exempted from certain provisions of the act: None.

09-60-0202

System name: Old Age, Survivors and Disability Beneficiary and Worker Records and Extracts (Statistics) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Datacrown/SDL
770 Brookfield Road
Ottawa, Ontario
K1B 6J5

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system: Groups of applicants for and recipients of social security old age, survivors, disability and black lung benefits; persons with taxable earnings; persons issued social security numbers. Most files are samples of selected subgroups.

Categories of records in the system: Socio-economic, demographic, medical and disability characteristics, earnings, employment history, benefits, and use of medical and rehabilitative services.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy forms, magnetic tape, microfilm, disc, punch cards, or printouts.

Retrievability: Files are indexed by social security number. Data are used within the Office of Research and Statistics for statistical purposes related to the administration and evaluation of old-age, survivors, disability and black lung benefit programs.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel.

Retention and disposal: Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also, to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Master beneficiary record, earnings recordings and self-employment income system, and other SSA records related to earnings and applications for, or payment of benefits. For selected employers, lists of persons working in covered employment.

Systems exempted from certain provisions of the act: None.

09-60-0203

System name: Supplementary Security Income (SSI) Studies Survey Records (Statistics) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Bureau of the Census
Washington, D.C.
Jeffersonville, Indiana

Datacrown/SDL
770 Brookfield Road
Ottawa, Ontario
K1B 6J5

Contractor sites: Addresses may be obtained by writing to the system manager (see below)

Categories of individuals covered by the system: Sample groups of persons and families receiving or potentially eligible to receive welfare assistance under the SSI and related Federal/State welfare programs, including Aid to Families with Dependent Children, General Assistance, Emergency Assistance and Food Stamps; other persons or families, regardless of SSI or poverty status, for use within the same system of records for comparison purposes with persons or families in the above categories; Federal/State personnel responsible for the administration of SSI and related welfare programs.

Categories of records in the system: Socio-economic, demographic, medical and disability characteristics, living conditions, attitudes, earnings and employment history, benefits, use of medical and rehabilitative services, participation on SSI and related Federal/State welfare programs.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy questionnaire forms, microfilm, punch cards, magnetic tape, disc, or printouts.

Retrievability: Files based on SSA sample populations are indexed by SSA-assigned case numbers or social security numbers. Files based on Census sample populations are indexed by Census-assigned case numbers cross-referenced to social security numbers.

Data are used within ORS for program planning and evaluation purposes such as participation in and relative effectiveness of the supplemental security income and related welfare programs, determinations of the characteristics of program applicants and benefits recipients, etc.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes for use outside of the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked files, etc.) restricting access to authorized personnel.

Retention and disposal: Hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for SSA analysis. Identifiers will be removed at the earliest possible time after data collection is completed. The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the record storage medium, e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention. In longitudinal studies, working files are stripped of identifiers and given randomly assigned case numbers. A separate link file will be maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Room 1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) Federal Register, October 8, 1975, pg.47410).

Contesting record procedures: Write the system manager at the address above and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: SSA administrative records (e.g. the Supplemental Security Income Record, SSI applications, Master Beneficiary Record, earnings recordings and self-employment income system, disability case folders, etc.), program records for related Federal/State welfare programs, and/or survey data collected by contractor. Bureau of the Census records may be used to create sampling frame.

Systems exempted from certain provisions of the act: None.

09-60-0204

System name: Supplementary Security Income (SSI) Studies Records and Extracts (Statistics) HEW/SSA/OP

Security classification: None

System location:

Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Social Security Administration
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Datacrown/SDL
770 Brookfield Road
Ottawa, Ontario
K1B 6J5

Contractor sites: Addresses may be obtained by writing to the systems manager (see below)

Categories of individuals covered by the system: Samples of applicants and recipients of benefits under the SSI program; samples of applicants and recipients of welfare assistance under related programs, including Aid to Families with Dependent Children (AFDC), General Assistance, Emergency Assistance and Food Stamps; specially selected subsets of applicants/recipients from the above programs.

Categories of records in the system: Socio-economic, demographic, medical and disability characteristics; earnings, employment history, participation in and benefits received under the SSI and related welfare programs, and use of medical and rehabilitative services.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 USC, Section 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. To contractor under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy forms, microfilm, magnetic tape, disc, punch cards, or printouts.

Retrievability: Files are indexed by social security number. Data are used within the Office of Research and Statistics for program planning and evaluation purposes such as participation in and relative effectiveness of the SSI and related welfare programs, determination of the characteristics of program applicants and benefit recipients, etc.

Safeguards: Magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes outside the research staff will be stripped of personal identifiers. For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used, (such as the use of passwords, locked-files, etc.) restricting access to authorized personnel.

Retention and disposal: Records with identifiers will be held in secure storage areas and will be disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal will be appropriate to the record storage medium; e.g., erasure of tapes, shredding of printouts, etc. As long as identifiable records exist, a periodic review will be made at least every two years to determine the need for their retention.

System manager(s) and address:

Director
Office of Research and Statistics
Social Security Administration
Universal North Building/Rm.1121
1875 Connecticut Avenue, N.W.
Washington, D.C. 20009

Notification procedure: For purposes of access, write to the system manager. He will request name of the system and social security number (on a voluntary basis). Also, to verify identity, provide name (woman's maiden name, if applicable), address, date of birth, and sex.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Supplemental Security Income Record, SSI applications, State supplied SSI data, program records of other Federal/State welfare programs, master beneficiary record, earnings recordings and self-employment income system, disability claims folder, disability data record, Health Insurance Master file and related files, and other SSA administrative records; case service reports of the Vocational Rehabilitation Agencies.

Systems exempted from certain provisions of the act: None.

09-60-0205

System name: Indochina Refugee and Sponsor System (Indochina Refugee Task Force) VOLAG Billing and Validation System, VOLAG Program Progress Reporting System, /Refugee Financial Assistance System HEW-SSA-OFA.

Security classification: None.

System location:

Donohoe Bldg., HEW/SSA/OFA/Special Programs Staff
400 6th Street, S.W.
Washington, D.C. 20201
and at HEW/SSA/ODD, Operations Bldg.
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Individuals who are refugees from Indochina as defined in the authorizing legislation and individuals and voluntary resettlement agencies (VOLAGS) who have sponsored refugees.

Categories of records in the system: Names and addresses of individuals and voluntary resettlement agencies (VOLAGS) who sponsored refugees. Names of refugees, resettlement camp ID Numbers, INS Alien Number, Age, Sex, English-speaking capability, Education, Occupational skills, Health status, and Administrative data (e.g., arrival date, camp assignment, camp departure date, destination). VOLAG billing and validation data including progress reports on status of refugees, HEW/SRS refugee financial assistance data.

Authority for maintenance of the system: The Indochina Migration and Refugee Assistance Act of 1975 (P.L. 95-145).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. As listed in Departmental Regulations (45 CFR, Part 5b), Appendix B, items 1, 3, 4, 5, 6, 8, and 9.
2. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Regulations (45 CFR Part 5b), Appendix B, items 1, 3, 4, 5, 6, 8, 9.
3. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in electromagnetic form (disk and tape) in a dedicated IBM 370/165 computer located at:

HEW/SSA/ODD, Operations Bldg.
6401 Security Boulevard
Baltimore, Maryland 21235

Hard copy (printouts) are maintained at:

HEW/SSA/OFA/Special Programs Staff, Donohoe Building,
Room 1123
400 6th Street, S.W.
Washington, D.C.

Dept. of State, D/HA-ORM
SA 6, Room 231
1700 N. Lynn St.
Arlington, Va. 22209

Red Cross Refugee Locator Service
4th Floor
18th and D Sts., N.W.
Washington, D.C.

Retrievability: Records concerning refugees are indexed by name and cross indexed by A (Alien) number. Records are available to HEW on a need to know basis above. Hardcopy and folders are maintained in limited access space. Direct access to the computer site is restricted to authorized operating personnel.

Retention and disposal: Authorization for the program terminates on September 30, 1981; HEW/SSA/OFA/Special Programs Staff will maintain records until that date; or until work is completed, whichever comes first, at which time another component of HEW will maintain these records.

System manager(s) and address:

Director,
Special Programs Staff/OFA/SSA/HEW
Donohoe Building - Room 1124
Dept. of Health, Education and Welfare
330 Independence Ave., S.W.
Washington, D.C. 20201

Notification procedure: System Manager.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Department of State, Intergovernmental Committee for European migration (ICEM), national voluntary resettlement agencies, Inter-Agency Task Force (through Dec. 31, 1975), State welfare agencies.

Systems exempted from certain provisions of the act: None.

09-60-0206

System name: Repatriate Records System. HEW SSA/OFA.

Security classification: None.

System location:

Social Security Administration, HEW
Office of Family Assistance
Special Projects Staff
Repatriate Program
330 C. Street, S.W. Room 4115
Washington, D.C. 20201

Categories of individuals covered by the system: U. S. Citizens and their dependents returned from foreign countries by the Department of State because of mental or physical illness, destitution, war, threat or war or international crisis.

Categories of records in the system: Identifying data such as name, date and place of birth, social security number, resources, employment, eligibility for other Federal, State or local programs and related data. Other categories include State and Regional reports, correspondence and accounting data, fun accounting data, educational data, and employment records and skills, financial reports, military service and civil and/or criminal records.

Authority for maintenance of the system: Public Law 86-571, Public Law 87-64 (Title XI of the Social Security Act, Section 1113).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in individual case folders by program office. Records are indexed by name and stored in locked metal cabinets. Files are confidential. Records are maintained for five years prior to retirement to the Federal Records Center, Suitland Maryland.

Retrievability: Records are indexed by name and are maintained in alphabetical order. Active and closed files are maintained. State expenditure funds are maintained.

Provides a basis for the expenditure of Federal funds. Information is used for the administration of the programs, by HEW regional staff, State and local health and welfare agencies and other private and public agencies as required.

Safeguards: Files are stored in metal cabinets with lock and key. Files are of a confidential nature and other personnel would not normally have access to their contents.

Retention and disposal: The policy is to maintain records for five years and then send them to the Federal Records Center in Suitland, Maryland. Some records are maintained in the active files for considerably longer periods.

System manager(s) and address:

Chief, U.S. Repatriate Program
Special Programs Staff/OFA/SSA/HEW
Donohoe Building, Room 1124
330 Independence Ave., S.W.
Washington, D.C. 20201

Notification procedure: Contact the official above under stem Manager.

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Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Write the system manager at the address specified above and reasonably identify the record and specify the information contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information is secured from the individual or his relative and submitted to HEW by the Department of State.

Systems exempted from certain provisions of the act: None.

09-60-0207

System name: Cuban Refugee Registration Records. HEW SSA/OFA.

Security classification: None.

System location:

U. S. Cuban Refugee Emergency Center
747 Ponce de Leon Boulevard
Miami, Florida 33134

Categories of individuals covered by the system: Cuban refugees who, on their own initiative, have registered at the Cuban Refugee Emergency Center in order to qualify for Federal benefits under the Cuban Refugee Program. (Registration is not required).

Categories of records in the system: Name, names of family members, places and dates of birth, occupation, and related data.

Authority for maintenance of the system: Migration and Refugee Assistance Act of 1962.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Voluntary resettlement agencies working under contract with Federal Government in connection with possible resettlement of refugees from Miami to other locations.
2. Florida Division of Family Services, to verify eligibility of refugee to apply for Cuban refugee assistance.
3. State welfare, health, or social services agencies to verify eligibility under Cuban Refugee Program and to enable State to claim Federal reimbursement for assistance provided.
4. HEW Regional Offices in order to provide information to State agencies.
5. Federal law enforcement and security agencies, including the Federal Bureau of Investigation and the Immigration and Naturalization Service, when requested.

6. Courts, when subpoenaed.

7. Statistical research and reporting, provided the record will be used solely as a statistical research or reporting record and is to be transferred in a form that is not individually identifiable.

8. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

9. Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and punched card.

Retrievability: Name, Center file number, alien registration number.

Safeguards: Locked areas, access only by record and data processing personnel to record areas, or accompanied by such personnel; guard service during non-office hours.

Retention and disposal: Records will be maintained permanently for the duration of the Program.

System manager(s) and address:

Director, Miami Operations
Cuban Refugee Program
P.O. Box 340188
Miami, Florida 33134

Notification procedure: Contact the official above under stem Manager.

12

Same as above. Requesters should also reasonably specify the contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Same as Above. Requesters should also reasonably specify the information being contested. These procedures in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Individual who is subject of record.

Systems exempted from certain provisions of the act: None.

09-60-0208

System name: Program Integrity Management Information and Control System OA.

Security classification: None.

System location:

Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: All individuals suspected of criminal violations involving the supplemental security income (SSI) program.

Categories of records in the system: Information about the supplemental security income recipient, supplemental security income suspect, program integrity case development and information about the violation aspects of the case. Sections 1631(D)(2) and 1632 of the Social Security Act and 18 U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any

employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and paper listings.

Retrievability: The Record of each individual is retrieved either by social security number, name, or case identification number. Information in this system is routinely used by Division of Program Integrity staff (1) to monitor the progress of development of individual suspected fraud cases to insure timely resolution and (2) for statistical analysis purposes to identify (a) types of cases which occur with such frequency as to suggest the need for revision of policies and procedures relative to establishing eligibility for payments and (b) trends and averages with respect to the processing time of such cases and their disposition under the Federal judicial system.

Safeguards: All data is encrypted on magnetic tapes. These tapes are retained in secure storage areas accessible only to authorized persons within the Office of Systems. The storage area is controlled by marshalls responsible for insuring that only authorized personnel are permitted. Official identification badges or passes are required to gain entrance to the storage area. All employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information on individuals. Paper listings are locked in a secured area.

Retention and disposal: Indefinite retention for magnetic tapes. A procedure is available to select and delete any case that is deemed irrelevant. Paper listings are shredded when no longer needed.

System manager(s) and address:

Director, Division of Program Integrity
Office of Assessment
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: A request may be forward to the Director, Bureau of Supplemental Security Income, 6401 Security Boulevard, Baltimore, Maryland 21235. The social security number /name or card identification number is needed as identifying information. These notification and access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b. October 8, 1975, page 47410.

Contesting record procedures: Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: Information is provided by supplemental security income applicants, informants, Social Security Administration/offices and other Federal, titles II and or XVI, State, or municipal agencies, by letter, telephone or in person.

Systems exempted from certain provisions of the act: None.

09-60-0209

System name: Readership Surveys of Office of Research and Statistics (ORS) Publications (statistics) HEW/SSA/OP

Security classification: None.

System location:

Social Security Administration
1875 Connecticut Ave NW
Washington, DC 20009
Social Security Administration
6401 Security Blvd

Baltimore, MD 21235 contractor sites: addresses may be obtained by writing to the system manager (see below).

Categories of individuals covered by the system: Groups of readers and potential readers of ORS publications

Categories of records in the system: Type of access to publications, frequency and extent of use, relevance of publications to job and

professional interests, socioeconomic and demographic characteristics, attitudes.

Authority for maintenance of the system: Section 702 of the Social Security Act (42 U.S.C., Section 902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made: the record

(1) to a congressional office from of an individual in response to an inquiry from the congressional office made at the request of that individual.

To contractor under contract to the Social Security Administration (SSA) or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly related to the Social Security Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data may be stored on hard copy questionnaire forms, microfilm, punchcards, magnetic tape, disc, or printouts.

Retrievability: files based on lists of readers are indexed by name and/or by social security number or contractor-assigned case numbers.

Safeguards: magnetic tapes or other files with personal identifiers are retained in secure storage areas accessible only to authorized persons. Employees having access to records are notified of criminal sanctions for unauthorized disclosure of information about individuals. Microdata files prepared for research purposes for use outside of the research staff will be stripped of personal identifiers.

For computerized records, safeguards established in accordance with Department standards and National Bureau of Standards guidelines will be used (such as the use of passwords, locked files, etc.), restricting access to authorized personnel.

Retention and disposal: hard copy questionnaires will be destroyed when survey reports are completed. Records with identifiers will be held in secure storage areas and will be retained only as long as needed for SSA analysis. Identifiers will be removed at the earliest possible time after data collection is completed.

The need to retain identifiers will be evaluated at the time each survey is completed. Records with identifiers will be disposed of as soon as they are determined to be no longer needed. Means of disposal will be appropriate to the record storage medium: e.g., erasure of tapes, shredding of printouts, etc.

As long as identifiable records exist, a periodic review will be made at least every 2 years to determine the need for their retention. In longitudinal studies, working files are stripped of identifiers maintained in secure storage for updating with individual identifiers.

System manager(s) and address:

Director Office of Research and Statistics
Social Security Administration
Universal North Building, room 1121
1875 Connecticut Avenue NW Washington, DC 20009

Notification procedure: for purposes of notification, write to the system manager. He will request name of the system, and on a voluntary basis, social security number. Verification of identity may be required in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with the DHEW Regulations 45 CFR, Section 5b.

Contesting record procedures: write the system manager at the address above and reasonably identify the record and specify the information to be contested. (these procedures are in accordance with DHEW Regulations 45 CFR, Section 5b.

Record source categories: Mailing lists maintained by ORS and by the Government Printing Office and survey data collected by SSA or contractor.

Systems exempted from certain provisions of the act: None

09-60-0210

System name: Record of Individuals Authorized Entry to Secured Electronic Data Processing (EDP) Area, HEW, SSA, OMBP.

Security classification: None.

System location: Office of Systems
6401 Security Boulevard
Baltimore, Maryland 21235

Categories of individuals covered by the system: Those individuals with a legitimate need who are authorized entry to the secured EDP area.

Categories of records in the system: This system contains the name, badge number, identity of employer, access level, a unique five-digit identifying number, and a nine-digit number which is either the social security number or driver's license number for each individual authorized to enter the secured EDP area.

Authority for maintenance of the system: 5 U.S.C. 552a(e)(10).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: SSA stores records in this system on magnetic tape and and paper copy (Forms SSA -3304 and SSA-3309CD).

Retrievability: SSA retrieves magnetic tape records by name, badge number and the unique five-digit identifying number and paper records records alphabetically by name.

SSA uses records in this system to restrict access to the secured EDP area. SSA will also use data in this system for management information purposes when necessary to ensure the security of the EDP area.

Safeguards: SSA maintains computerized records in a high security room within the secured area and hard copy records in a locked room. Only authorized EDP security personnel have access to the records. SSA has established system security for this system in accordance with the National Bureau of Standards guidelines and the Department's ADP Systems manual, Part 6, ADP Systems Security Policy.

Retention and disposal: SSA retains records in this system for the duration of an individual's authority to enter the secured area. When an individual is no longer authorized, SSA erases magnetic tape records and destroys paper records by shredding.

System manager(s) and address:

Associate Commissioner
Office of Management, Budget, and Personnel
6401 Security Boulevard
Baltimore, Maryland 21235

Notification procedure: Any individual may present a request for information as to whether this system contains records pertaining to him or her by providing his or her social security number, name, signature, or other personal identification and referring to this system to Assistant Bureau Director, Administration, Bureau of Data Processing, 6401 Security Boulevard, Baltimore, Maryland 21235.

Record access procedures: Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures:

Same as notification procedures. Requesters should also reasonably identify the record and specify the information they are contesting. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: SSA obtains information in this system from Forms SSA-3304 and SSA-3309CD, which the individual prepares.

Systems exempted from certain provisions of the act: None.

09-60-0214

System name: Personal Identification Number File (PINFile) HEW/SSA/OA.

Security classification: None

System location:

Social Security Administration
6401 Security Boulevard
Baltimore, Maryland

Categories of individuals covered by the system: Social Security Administration (SSA) employees, some Disability Determination Services (DDS) employees, and Health Care Financing Administration (HCFA) employees.

Categories of records in the system: Timekeeper number, name of employee (first 3 letters of last name), social security number, personal identification number for validation purposes, and function code.

Authority for maintenance of the system: Section 205(a) of the Social Security Act 5 U.S.C. 552a(e)(10).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

- (1) To a congressional office from the record of an individual in response to an inquiry made at the request of that individual.
2. In the event of litigation where one of the parties is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: SSA maintains records in the PINFile on magnetic tape reels.

Retrievability: SSA retrieves records from the PINFile by name, social security number, personal identification number, and timekeeper number.

SSA uses the PINFile to limit access to SSA information resources to specific individuals to a predefined number of transactions.

Safeguards: The PINFile is the basis for a system which minimizes the risk of unauthorized access to SSA data files and personal data. The PINFile will limit access to all SSA data files which can be accessed via the SSA telecommunications system. Steps to minimize the unauthorized use to the PINFile include: (1) limiting access to data on file to regional, component, and systems security officers and (2) monitoring additions, deletions, and changes to the PINFile through daily reports.

Retention and disposal: Magnetic tape—retained 30 days and erased.

System manager(s) and address:

SSA Systems Security Officer
Social Security Administration
6401 Security Boulevard
Room 1-Z-25 Operations Building
Baltimore, Maryland 21235

Notification procedure: To find out whether this system has a record about you write the system manager at the above address and provide your personal identification number. Requesters should also specify the record contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record access procedures: Same as above. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Same as above. Also, requesters should specify the information they are contesting. These contesting procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Record source categories: SSA obtains information in the PINFile from the individuals, their supervisors, and from SSA time and attendance files.

Systems exempted from certain provisions of the act: None.

09-60-0215

System name: National Recipient System, HEW/SSA/OFA.

Security classification: None.

System location:

Office of Family Assistance
330 C Street, Room 4006
Washington, D. C. 20201

Categories of individuals covered by the system: The National Recipient System (NRS) will maintain records on all applicants to and recipients of the Aid to Families with Dependent Children (AFDC) program.

Categories of records in the system: Name of AFDC applicant/recipient, date of birth, sex, social security number (when available), State originating entry, county/local office (if provided), date of entry, State case/client identification number. The NRS will obtain Federal benefits and payments information, (amount and date received, by program), including Federal payroll data, and report the data to the State originating the entry, but will not retain this data in the NRS system. The NRS will automatically delete applicants/recipients without a validated social security number after 60 days. The NRS will not collect or report any data subject to 26 U.S.C. 6103 (as amended by the Tax Reform Act of 1976) through this system.

Authority for maintenance of the system: Sections 402(a)(6) and 702 of the Social Security Act, as amended, and 45 CFR 205(a)(1) and (2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made:

1. To State agencies administering Aid to Families with Dependent Children programs for use in fraud and abuse detection.
2. To Congressional offices from the record of an individual in response to an inquiry from that office made at the request of that individual.
3. In (a) the event of litigation where one of the parties is the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.
4. To other Federal agencies who maintain systems of records from individual AFDC applicant/recipient records initiated by States, in the form of an inquiry to the following systems to obtain matching data:
 - a. 49 VA 21 Veterans, Dependent and Beneficiaries Compensation and Pension Records, VA - VA Benefits
 - b. CSC Government 3, General Personnel Records System - CSC - Federal Employee Payroll
 - c. CSC - 2 Civil Service Retirement and Insurance Record, CSC - Federal Employee Benefits.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The contractor administering the system for the Social Security Administration under contractual agreement maintains records on disk and magnetic tape.

Retrievability: Based on name/date of birth (name code primary search key), social security number on disk, magnetic tape, printers, listings, and communication terminals. The use of the social security number is optional depending upon its availability within the States' Aid to Families with Dependent Children program. Section 205(c)(2)(B)(i)(II) and (C) and Section 402(a)(25) of the Social Security Act covers the use of the security security number.

Only a small group of employees (SSA and contractual employees) has direct access to data from the NRS in order to maintain a computer system which matches the AFDC applicant's/recipient's identification against that of other current AFDC applicants/recipients already known to the NRS. When a State enters an AFDC applicant's/recipient's social security number, the NRS will initiate a search of the SSA file of social security numbers (SSN) to validate the name, date of birth, and SSN of the individual in question.

When the SSA/SSN interface is successful (identity is validated), the NRS will use the State-provided applicant/recipient data to cross-check with other Federal systems of records to obtain information on other benefit payments.

Safeguards: SSA and the contractor administering the System for SSA maintain all magnetic tapes and disks within an enclosure attended by security guards. Special badges issued only to authorized personnel control access to the enclosure. For computerized records transmitted between the NRS office and State office locations (including the organization administering the NRS program under contractual agreements), system security complies with Department requirements and National Bureau of Standards guidelines. Safeguards include a lock-unlock password system, a controlled mail system, and an audit trail. In addition to the safeguard measures described above, written agreements SSA/OFA and participating States will further insure the security and integrity of system data and the rights of individuals to privacy. The NRS complies with the requirements found in HEW ADP System Manual, Part 6.

Retention and disposal: The NRS retains an AFDC applicant/recipient record for those individuals with a validated social security number consisting of name, date of birth, sex, social security number, date of entry, State and case or client number on tape or disk until the NRS receives a notification from a State agency that the individual is no longer a current AFDC applicant/recipient. The NRS will retain history tapes 60 days for back-up purposes only and magnetic records up to 30 days before erasing them. The contractor will destroy all listings after use by shredding.

System manager(s) and address:

Director, National Recipient System
Office of Family Assistance
Switzer Building, Room 4006
Washington, D. C. 20201
Telephone: (202) 235-2777.

Notification procedure: Contact the system manager in writing at the above address and provide your name, address, and proper identification. The system manager may request additional information, such as your date of birth, sex and social security number in order to distinguish between individuals having the same or similar names.

Record access procedures: Same as notification procedures. Requestors should also reasonably specify the records contents being sought. These access procedures are in accordance with DHEW Regulations, 45 CFR, Section 5b.

Contesting record procedures: Individuals who feel that the information provided through the above procedure is inaccurate, not timely, not relevant, or not complete should contact the system manager at the address above and reasonably identify the records and specify the information they are contesting. These procedures are in accordance with DHEW Regulation, 45 CFR, Section 5b.

Record source categories: The NRS will obtain information from any State, commonwealth or territorial agency responsible for administration of the AFDC program, from the individual, the Veterans' Administration, the Civil Service Commission, and the SSA systems of records Master Files of Social Security Number Holders, Master Beneficiary Record, and the Supplemental Security Income Records.

Systems exempted from certain provisions of the act: None.

Appendix A Retirement and Survivors Insurance Claims

1. Determining Appropriate Office to Contact

Records relating to retirement and survivor insurance claims are maintained primarily in six program service centers across the country. The responsibility for the payment of benefits and the maintenance of records is assigned to each office according to the first three digits of the social security number.

However, if the only individual entitled to survivor's monthly benefits on one claim number is also entitled to a retirement benefit on another claim number, the office which is assigned the responsibility for the retirement benefit claim also handles the survivor claim. If the only individual on the record is entitled to a survivor benefit which has been reduced because the survivor is under age 65, and the individual is also entitled to a disability benefit (which is higher), on another record, the Bureau of Disability Insurance certifies the payments and maintains both records (see Appendix B). The Bureau of Disability Insurance is also responsible for payment certification and record maintenance if the only survivor on a record is entitled as a childhood disability beneficiary and the survivor is also entitled to a disability benefit on another record.

In addition, when one of the individuals in the record resides outside the United States or its possessions, the responsibility for payment certification and record maintenance is assigned to the Division of International Operations without reference to the social security claim number or the type of benefit.

With the exceptions noted above, the appropriate program service center to contact can be determined by checking the first three (left side) digits of the social security number and comparing to the chart below. For example, if the first three digits are 076, the appropriate program service center to contact will be the Northeastern Program Service Center; similarly, if the first three digits were 437, the appropriate office would be Mid-America Program Service Center, and if they are 728, the appropriate office would be the Great Lakes Program Service Center.

If the first three digits fall within the range of:

001 - 134 contact the Northeastern Program Service Center;
135 - 222 the Mid-Atlantic Program Service Center;
223 - 231 the Southeastern Program Service Center;
232 - 236 the Mid-Atlantic Program Service Center;
237 - 267 the Southeastern Program Service Center;
268 - 302 the Great Lakes Program Service Center;
303 - 315 the Mid-America Program Service Center;
316 - 399 the Great Lakes Program Service Center;
400 - 428 the Southeastern Program Service Center;
429 - 500 the Mid-America Program Service Center;
501 - 504 the Western Program Service Center;
505 - 515 the Mid-America Program Service Center;
516 - 524 the Western Program Service Center;
525 the Mid-America Program Service Center;
526 - 576 the Western Program Service Center;
577 - 584 the Mid-Atlantic Program Service Center;
585 the Mid-America Program Service Center;
586 the Western Program Service Center;
587 the Southeastern Program Service Center; or
700 - 729 the Great Lakes Program Service Center.

2. Office Addresses

Director
Northeastern Program Service Center
96-05 Horace Harding Expressway
Flushing, New York 11368

Director
Mid-Atlantic Program Service Center
300 Spring Garden Street
Philadelphia, Pennsylvania 19123

Director
Southeastern Program Service Center
2001 Twelfth Avenue, North
Birmingham, Alabama 35285

Director
Great Lakes Program Service Center
600 West Madison
Chicago, Illinois 60606

Director
Mid-America Program Service Center
601 East Twelfth Street
Kansas City, Missouri 64106

Director
Western Program Service Center
1221 Nevin Avenue
Richmond, California 94802

Director
Office of Central Operations
P.O. Box 1756
Baltimore, Maryland 21203

3. Office Hours

Northeastern Program Service Center - 7:00 - 5:30
Mid-Atlantic Program Service Center - 7:00 - 5:30
Southeastern Program Service Center - 7:00 - 5:00
Great Lakes Program Service Center - 7:00 - 5:30
Mid-America Program Service Center - 7:00 - 5:00
Western Program Service Center - 6:45 - 4:30
Office of Central Operations - 7:00 - 5:30

Appendix B Disability Insurance Claims**1. Central Reviewing Office Address**

Records relating to claims for disability insurance are maintained primarily by the:

Office of Disability Operations
Baltimore, Maryland 21241
Office Hours are: 8:20-4:50

When one of the individuals in the claim resides outside of the United States, or its possessions, the record is maintained by the Office of Central Operations, P. O. Box 1756, Baltimore, Maryland 21203.

2. Disability Insurance Regional Commissioner Addresses and Office Hours

Assistant Regional Commissioner, DI
DHEW, SSA, Room 1200
JFK Federal Building
Boston, Massachusetts 02203

Office Hours 8:30-5:00

Assistant Regional Commissioner, DI
DHEW, SSA
Federal Bldg., Room 4008, 26 Federal Plaza
New York, New York 10007

Office Hours 8:30-4:30

Assistant Regional Commissioner, DI
DHEW, SSA
P.O. Box 8788
Philadelphia, Pennsylvania 19108

Office Hours 8:30-5:00

Assistant Regional Commissioner, DI
DHEW, SSA
101 Marietta Tower, Suite 2001
Atlanta, Georgia 30323

Office Hours 8:30-4:30

Assistant Regional Commissioner, DI
DHEW, SSA
Room 712, New Post Office Building
300 South Wacker Drive, 12th Floor
Chicago, Illinois 60606

Office Hours 8:15-4:45

Assistant Regional Commissioner, DI
DHEW, SSA
Room 436, Federal Bldg.
601 East 12th Street
Kansas City, Missouri 64106

Office Hours 8:00-4:45

Assistant Regional Commissioner, DI*
DHEW, SSA
1200 Main Tower Bldg.
1114 Commerce Street
Dallas, Texas 75202

Office Hours 8:00-4:30

Assistant Regional Commissioner, DI
DHEW, SSA
100 Van Ness Ave.
San Francisco, California 94102

Office Hours 8:00-4:30

Assistant Regional Commissioner, DI
DHEW, SSA
Federal Building, Room 11037
19th and Stout Street
Denver, Colorado 80202

Office Hours 8:30-4:30

Assistant Regional Commissioner, DI
DHEW, SSA
Arcade Plaza Building, M/S M-1
1321 Second Avenue
Seattle, Washington 98101

Office Hours 8:00-4:30

3. Related State Office Addresses

The disability claims files may be temporarily transferred to State Disability Determination Services for initial or continuing disability determinations to be made. Vocational Rehabilitation Agencies in the States may also be involved with a disability claim from the training aspects. The State agency addresses are as follows:

Alabama

State Department of Education
Division of Disability Determinations
Clairmont Office Plaza
2800 8th Avenue, South
Birmingham, Alabama 35233

Alaska

Disability Determination Unit
Office of Vocational Rehabilitation
4100 Spenard Road, Suite A
Anchorage, Alaska 99503

Arizona

Disability Certification Office
Rehabilitation Services Bureau
Department of Economic Security
P.O. Box 11980
Phoenix, Arizona 85061

Arkansas

Disability Determination for Social Security Administration
700 S Pulaski Street, 2nd Floor
Little Rock, Arkansas 72201

California**Oakland Region**

Department of Social Services
Disability Evaluation Branch
P.O. Box 24225
Oakland, California 94623

Los Angeles North Region

Department of Social Services
Disability Evaluation Branch
P.O. Box 3819
Terminal Annex
Los Angeles, California 90051

San Diego Region

Department of Social Services
Disability Evaluation Branch
P.O. Box 81326
San Diego, California 92138

Sacramento Region

Department of Social Services
Disability Evaluation Branch
P.O. Box 1827
Sacramento, California 95809

Department of Social Services
Disability Evaluation Branch
601 J Street, Suite 200
Sacramento, California 95823
Fresno Region

Department of Social Services
Disability Evaluation Branch
P.O. Box 1072
Fresno, California 93714

Los Angeles South Region

Department of Social Services
Disability Evaluation Branch
P.O. Box 60999
Terminal Annex
Los Angeles, California 90060

Colorado

Department of Social Services
Division of Rehabilitation
Disability Determination Unit
2015 S. Pontiac Way
Denver, Colorado 80222

Connecticut

Division of Vocational Rehabilitation
Bureau of Disability Determination
600 Asylum Avenue, 2nd floor
Hartford, Connecticut 06105

Delaware

Disability Determination Service
State Office Building
820 North French Street
Wilmington, Delaware 19801

District of Columbia

Disability Determination Division
Vocational Rehabilitation Administration
Department of Human Resources
1411 K Street, N.W., 13th Floor
Washington, D.C. 20005

Florida

Office of Disability Determination
Dept. of Health and Rehabilitation Services
2600 Blair Stone Road, Room 350-B
Tallahassee, Florida 32301

Georgia

Disability Determination Unit
Division of Vocational Rehabilitation
One West Court Square, Suite 300
Decatur, Georgia 30030

Guam

Division of Vocational Rehabilitation
P.O. Box 10-C
Agana, Guam 96910

Hawaii

Disability Determination Branch
Vocational Rehabilitation and Service for the Blind Division
Kapiolani Commercial Center
Suite 660, 1580 Makaloa Street
Honolulu, Hawaii 96814

Idaho
Disability Determination
1505 McKinney
Boise, Idaho 83704

Illinois

Division of Vocational Rehabilitation
Disability Determination Service
P.O. Box 3842
Springfield, Illinois 62708

Indiana

Disability Determination Division
P.O. Box 7069
17 West Market Street
Indianapolis, Indiana 46207

Iowa

Rehabilitation Education and Services Branch
Disability Determination Division
507 10th St., 4th Floor
Des Moines, Iowa 50309

Kansas

Disability Determination Service
Division of Vocational Rehabilitation
2036 S.E. 30th Street
Topeka, Kansas 66605

Kentucky

Department for Human Resources
Bureau for Social Insurance
Division for Disability Determinations
P.O. Box 1001
Frankfort, Kentucky 40602

Louisiana

Disability Determinations
Health and Human Resources
Office of Rehabilitation Services
P.O. Box 3212
Baton Rouge, Louisiana 70821

Maine

Bureau of Vocational Rehabilitation
Division of Disability Determination
P.O. Box 949
Augusta, Maine 04330

Maryland

Disability Determination Services
Division of Vocational Rehabilitation
Post Office Box 17011
Baltimore, Maryland 21203

Massachusetts

Massachusetts Rehabilitation Commission
Disability Determination Service
60 Batterymarch Street
Boston, Massachusetts 02110

Michigan

Disability Determination Service
P.O. Box 30011
Lansing, Michigan 48909

Disability Determination Service
Post Office Box 37730
Oak Park, Michigan 48237

Division Determination Service
P. O. Box 1200
Traverse City, Michigan 49684

Minnesota

Disability Determinations Unit
Division of Vocational Rehabilitation
Metro Square Building, Suite 460
Seventh and Roberts Streets
St. Paul, Minnesota 55101

Mississippi

Disability Determination Unit
State Dept. of Education
P.O. Box 1271
Jackson, Mississippi 39205

Missouri

Department of Elementary and Secondary Education, DVR
3523 North 10 Mile Drive
125 West Dunklin
Jefferson City, Missouri 65101

Montana

Disability Determination Bureau
Rehabilitative Services Division
P. O. Box 4189
Helena, Montana 59601

Nebraska

Division of Rehabilitation Services
Disability Determination Section State Office Bldg., 6th Floor
301 Centennial Mall, South
South Lincoln, Nebraska 69508

Nevada

Bureau of Disability Adjudication
Rehabilitation Division
Department of Human Resources
505 East King St.
Capital Complex
Carson City, Nevada 89710

New Hampshire

Disability Determination Unit
Vocational Rehabilitation Division
P.O. Box 452
Concord, New Hampshire 03301

New Jersey

Division of Disability Determinations
Department of Labor and Industry
P.O. Box 649
Newark, New Jersey 07101

New Mexico

Disability Determination Unit
P.O. Box 4588
Albuquerque, New Mexico 87106

New York

Bureau of Disability Determination
State Department of Social Services
2 World Trade Center
New York, New York 10047

North Carolina

Disability Determination Section
Division of Social Services
Post Office Box 243
Raleigh, North Carolina 27602

North Dakota

Disability Determination Section
Division of Vocational Rehabilitation
Russel Building, RR#1, Highway 83 North
Bismarck, North Dakota 58505

Ohio

Bureau of Disability Determination
Rehabilitation Services Commission
4574 Heaton Road
Columbus, Ohio 43229

Bureau of Disability Determination
Rehabilitation Services Commission
9403 Kenwood Rd.
Cincinnati, Ohio 45442

Oklahoma

Department of Institutions
Social and Rehabilitative Services
Attention: Disability Insurance Unit
P.O. Box 25352
Oklahoma City, Oklahoma 73125

Oregon

Vocational Rehabilitation Division
Disability Determination Services
2045 Silverton Road, N.E.
Salem, Oregon 97310

Pennsylvania

Bureau of Vocational Rehabilitation
Disability Determination Division
1310 - 12 North 7th Street
Harrisburg, Pennsylvania 17120

Bureau of Vocational Rehabilitation
Disability Determination Division
225 Jones Street
Wilkes-Barre, Pennsylvania 18702

Bureau of Vocational Rehabilitation
Disability Determination Division
P.O. Box 2500
Greensburg, Pennsylvania 15605

Puerto Rico

Disability Determination Program
Call Box 71301
San Juan, Puerto Rico 00936

Rhode Island

Vocational Rehabilitation Services
Disability Determination Unit
24 Mason Street
Providence, Rhode Island 02903

South Carolina

Disability Determination Division
S.C. Vocational Rehabilitation Department
P.O. Box 4945
Columbia, South Carolina 29240

South Carolina Commission for the Blind 1430 Confederate
Avenue
Columbia, South Carolina 29201

South Dakota

Disability Determination Service
Division of Vocational Rehabilitation
P.O. Box 912
Sioux Falls, South Dakota 57101

Tennessee

Disability Determination Section
Division of Vocational Rehabilitation
1808 West End Avenue, 9th Floor
Nashville, Tennessee 37203

Texas

Texas Rehabilitation Commission
Division of Disability Determination
P.O. Box 2913
Austin, Texas 78769

Utah

Disability Determination Services
Division of Rehabilitation Service
Utah State Board of Education
P.O. Box 550
Salt Lake City, Utah 84110

Vermont

Disability Determination Agency
P.O. Box 557
Waterbury, Vermont 05676

Virgin Islands

Disability Representative
Bureau of Disability Insurance
DHEW, SSA Federal Building
St. Thomas
St. Thomas, Virgin Islands 00801

Virginia

Disability Determination Division
Virginia Department of Vocational Rehabilitation
200 West Grace Street
Richmond, Virginia 23220

Disability Determination Div.
Virginia Department of Vocational Rehabilitation
5205 Leesburg Pike, Suite 1000
Falls Church, Virginia 22041

Disability Determination Division
Virginia Department of Vocational Rehabilitation
5700 Thurston Avenue, Suite 300
Virginia Beach, Virginia 23455

Disability Determination Division
Virginia Dept. of Vocational Rehabilitation
4504 Starkey Road, S.W., Suite 100
Roanoke, Virginia 24014

Washington
Disability Insurance Section
9303 M. S. LN - 11
Olympia, Washington 98504

West Virginia

Disability Determination Services
Vocational Rehabilitation Division
Mason Building, Second Floor
1206 Quarrier Street
Charleston, West Virginia 25301

Disability Determination Section
Division of Vocation Rehabilitation
P.O. Box 908
Bridgeport, West Virginia 26330

Wisconsin

Bureau of Social Security Disability Insurance
P.O. Box 7623
Madison, Wisconsin 53707

Wyoming

Disability Determination Services
Division of Vocational Rehabilitation
320 West 25th Street
Cheyenne, Wyoming 82001

Appendix D Supplemental Security Income Claims

1. Addresses for Records

Supplemental Security Income claims records are maintained in district and branch offices until a decision has been made regarding eligibility (see Appendix F). If payment has been awarded, or the appeal period has closed on claims with unfavorable determinations, the claims records are sent to the following locations:

Claims for benefits based on age are maintained in the program service centers (see Appendix A);

Claims for benefits based on disability or blindness are maintained by the Bureau of Disability Insurance (see Appendix B).

2. Regional Planning office for Supplemental Security Income

Boston Region--Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building
Government Center
Boston, Massachusetts 02203

New York Region--New Jersey, New York, Puerto Rico, Virgin Islands

26 Federal Plaza
New York, New York 10007

Philadelphia Region--Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

3535 Market Street
Philadelphia, Pennsylvania 19101

Atlanta Region--Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

50 Seventh Street, NE
Atlanta, Georgia 30323

Chicago Region--Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive
Chicago, Illinois 60606

Dallas Region--Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1114 Commerce Street
Dallas, Texas 75202

Kansas City Region--Iowa, Kansas, Missouri, Nebraska

New Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

Denver Region--Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building
19th & Stout Streets
Denver, Colorado 80202

San Francisco Region--American Samoa, Arizona, California, Guam, Hawaii, Nevada

Federal Office Building
50 Fulton Street
San Francisco, California 94102

Seattle Region—Alaska, Idaho, Oregon, Washington

1321 Second Avenue
Seattle, Washington 98101

3. Program Review Officers, Quality Assurance Regional Offices

Suite 1907
100 Summer St.
Boston, Massachusetts 02110

Service Area includes: New Hampshire, Massachusetts, Vermont
and Maine

P.O. Box 7385
Corona-Elmhurst, New York 11373

Service Area Includes: Connecticut, New York, Rhode Island

P.O. Box 8788
Philadelphia, Pennsylvania 19101

Service Area Includes: Delaware, District of Columbia,
Maryland, New Jersey, Pennsylvania, West Virginia, Virginia

P.O. Box 662
Birmingham, Alabama 35201

Service Area Includes: Alabama, Florida, Georgia, Kentucky,
Mississippi, North Carolina, South Carolina, Tennessee

P.O. Box 7535
Chicago, Illinois 60680

Service Area Includes: Indiana, Illinois, Michigan, Ohio,
Wisconsin, Minnesota

P.O. Box 15568
Kansas City, Missouri 64106

Service Area Includes: Iowa, Kansas, Missouri, Nebraska

725 Dalworth
Grand Prairie, Texas 75050

Service Area includes: Arkansas, Louisiana, New Mexico,
Oklahoma, Texas

P.O. Box 42516
San Francisco, California, 94101

Service Area includes: Arizona, California, Colorado, Hawaii,
Montana, Nevada, North Dakota, South Dakota, Utah,
Wyoming

4735 E. Marginal Way, South
Seattle, Wash. 98134

Service Area includes: Arkansas, Louisiana, New Mexico,
Oklahoma, Texas

4. Quality Assurance Field Offices

a. Boston Service Area

Quality Assurance Field Staff
Suite 1907
100 Summer Street
Boston, Massachusetts 02110

b. New York Service Area

Quality Assurance Field Staff
P.O. Box 7385
Corona-Elmhurst, New York 11373

c. Philadelphia Service Area

P.O. Box 12808
Philadelphia, Pennsylvania 19108

Quality Assurance Field Staff
P.O. Box 8788
Philadelphia, Pennsylvania 19101

Quality Assurance Field Staff
2000 Century Plaza, Suite 454
10632 Little Patuxent Parkway
Columbia, Maryland 21044

Quality Assurance Field Staff
Oxford Building, Suite 419
200 Mall Boulevard
Monroeville, Pennsylvania 15146

d. Birmingham Service Area

Quality Assurance Field Staff
P.O. Box 662
Birmingham, Alabama 35201

Quality Assurance Field Staff
Suite 104
1102 Kermit Drive
Nashville, Tennessee 37217

Quality Assurance Field Staff
P.O. Box 24268
Tampa, Florida 33622

Quality Assurance Field Staff
Suite 102
3901 Barrett Drive
Raleigh, North Carolina 27609

Quality Assurance Field Staff
Suite 214-D
1568 Willingham Drive
College Park, Georgia 30337

e. Chicago Service Area

Quality Assurance Field Staff
P.O. Box 7535
Chicago, Illinois 60680

Quality Assurance Field Staff
1084 McNamara Bldg.
477 Michigan Ave.
Detroit, Michigan 48226

Quality Assurance Field Staff
P.O. Box 44804
Indianapolis, Indiana 46244

Quality Assurance Field Staff
Federal Building
Room 658
316 Robert Street
St. Paul, Minnesota 55101

Dallas Service Area

Quality Assurance Field Staff AAA Building
3445 North Causeway Boulevard
Metairie, Louisiana 70002

Quality Assurance Field Staff
725 Dalworth
Grand Prairie, Texas 75050

Quality Assurance Field Staff
50 Penn Place Suite 1430
Oklahoma City, Oklahoma 73118

g. Kansas City Service Area

Quality Assurance Field Staff
P.O. Box 15568
Kansas City, Missouri 64106

h. San Francisco Service Area

Quality Assurance Field Staff
P.O. Box 42516
San Francisco, California 94101

Quality Assurance Field Staff
Hawthorne Building
15000 Aviation Boulevard
First Floor, Room 1-L-12
Lawndale, California 90261

Quality Assurance Field Staff
P.O. Box 2638
Salt Lake City, Utah 84110

Quality Assurance Field Staff
P.O. Box 15235
Lakewood, Colorado 80215

Quality Assurance Field Staff
Treasury State Building
Room 310
2906 Second Avenue, North
Billings, Montana 59101

Quality Assurance Field Staff
FAA Building
Suite 807
1833 Kalakaua Avenue
Honolulu, Hawaii 96815

i. Quality Assurance Field Staff
4735 E. Marginal Way, South
Seattle, Washington 98134

5. Information exchanged between Social Security Administration and the States because of the State Supplementation and Medicaid provisions of the Supplemental Security Income program is maintained at the following State Departments of Public Welfare Agency addresses:

Alabama

Director
Medical Services Administration
2500 Fairlane Dr.
Executive Park
Montgomery, Alabama 36111

Alaska

Director
Dept. of Health and Social Service
Pouch H - 350 Main St.
Juneau, Alaska 99801

Arizona

Director
Arizona Dept. of Economic Security
P.O. Box 6123
Phoenix, Arizona 85005

Arkansas

Director
Capital Mall
Welfare-ESD Building
Little Rock, Arkansas 72203

California
Director
Dept. of Benefit Payments
Tape Library MS 10-77
744 P Street
Sacramento, California 95814

Colorado

Director
Department of Social Services
1575 Sherman Street, Room 301
Denver, Colorado 80203

Connecticut

Director
Connecticut State Welfare Dept. Systems and Information
Attn: Control Section Chief
110 Bartholomew Ave.
Hartford, Connecticut 06115

Delaware

Director
Administrator Payments Section
Division of Business Adm. and General Services
State Hospital Adm. Bldg.
Third Floor Annex
New Castle, Delaware 19720

District of Columbia

Director
Dept. of Human Resources
Automatic Data Processing Div.
801 N. Capitol Street, N. E.
Room 627
Washington, D. C. 20001

Florida

Chief
HRS Data Center
P.O. Box 2016
Jacksonville, Florida 32203

Georgia

Director
Dept. of Human Resources
Director, Division of Benefit Payments
Room 630-H
47 Trinity Ave.
Atlanta, Georgia 30334

Hawaii

Director
Department of Social Services
P. O. Box 339
Honolulu, Hawaii 96809

Idaho

Director
Dept. of Environmental Community Services
Attn: Data Processing
State House
Boise, Idaho 83720

Illinois

Director
Illinois Dept. of Public Aid
P. O. Box 1330
Springfield, Illinois 62762

Indiana

Director of Administrative Services
Indiana Dept. of Public Welfare
State Office Building
100 North Senate Ave.
Indianapolis, Indiana 46204

Iowa

Director
Dept. of Social/Rehab. Services
4th Floor
Lucas State Office Bldg.
Des Moines, Iowa 50319

Kansas

Director
Data Processing
Div. Social Rehab. Services
6th Floor Rm 622-S
State Office Bldg.
Topeka, Kansas 66612

Kentucky

Data Processing Manager
Department for Human Resources
Bureau of Administrative Opera
Division of Management Systems
Capitol Annex
Room 148
Frankfort, Kentucky 40601
Attn: DP Tape Library S D X

Louisiana

Director
State of Louisiana
Div. of Income Maintenance
P. O. Box 44065
Baton Rouge, Louisiana 70804

Maine

Director
Div. of Data Processing
Dept. of Health & Welfare
221 State Street
Augusta, Maine 04330

Maryland

Director
Dept. of Employ & Soc. Serv.
Div. of Data Processing
1100 North Eutaw Street
Room 301
Baltimore, Maryland 21201

Massachusetts

Director
Executive Office of Human Services
Information Systems and Services
Computer Center
Room 801
1 Ashburton Place
Boston, Massachusetts 02108

Director
Mass. Comm. For The Blind
110 Tremont Street
Boston, Massachusetts 02108

Michigan

Director
Department of Social Services
I/O Control Unit
4th. Floor
Lewis Cass Bldg.
Lansing, Michigan 48926

Minnesota

Director
Department of Public Welfare
Systems Division
P.O. Box 17038
St. Paul, Minnesota 55117

Mississippi

OMC
State Department of Public Welfare
Fondren Station
Box 4321
Jackson, Mississippi 39216

Missouri

Director
Department of Social Services
Attn: 10 Control Center
Broadway State Office Bldg.
Jefferson City, Missouri 65101

Montana

Director
Social and Rehabilitation Services
Office of Management and Budget
Box 1723
Helena, Montana 59601

Nebraska

Director
Data Processing
Department of Public Welfare
Fourth Floor
1526 K Street
Lincoln, Nebraska 68508

Nevada

Director
Nevada State Department of Welfare
251 Jeanell
Carson City, Nevada 89701

New Hampshire

Director
State of New Hampshire
Department of Health and Welfare
Division of Welfare - Claims Processing Unit
8 Loudon Road
Concord, New Hampshire 03301

New Jersey

Director
Blue Cross - Blue Shield
Systems Division Tech Services
2nd Floor
33 Washington Street
Newark, New Jersey 07102

New Mexico

Director
Public Assistance Agency
Box 2348 - Supplemental Security Coordinator
Santa Fe, New Mexico 87501

New York

Director
New York State - Department of Social Services
Income Maintenance Section
1450 Western Avenue
Albany, New York 12203

North Carolina

Director
North Carolina Department of Human Resources
Social Services Division
Data Processing Section
325 North Salisbury Street
Raleigh, North Carolina 27603

North Dakota

Social Services Board
Capitol Grounds
Capital Building, 16th Floor
Bismarck, North Dakota 58501

Ohio

Director
Ohio Department of Public Welfare
State Office Tower - 8th Floor
30 East Broad Street
Columbus, Ohio 43215
Attention: SDX Coordinator

Oklahoma

Director
Department of Institutions,
Social and Rehabilitation Services
Management Information Division
P.O. Box 25352
Oklahoma City, Oklahoma 73125

Oregon

Director
Public Welfare Division
Public Service Building
Salem, Oregon 97310

Pennsylvania

Director, Bureau of Policy
Office of Income Maintenance
Health and Welfare Building
6th and Forster Streets - Room 103
Harrisburg, Pennsylvania 17120

Rhode Island

Director
Aime J. Forand Building
600 New London Avenue
Cranston, Rhode Island 02920

South Carolina

Director
Data Processing Operations
South Carolina Department of Social Services
P.O. Box 1520
Columbia, South Carolina 29202

South Dakota

Director
State Department of Social Services
Division of Social Welfare
State Office Building No. 1
Pierre, South Dakota 57501

Tennessee

Director
Department of Public Welfare
C1-103 Central Service Building
Nashville, Tennessee 37219

Texas

Director
Department of Public Welfare
Data Processing Division
Tape Library
2800 South Interregional
Austin, Texas 78704

Utah

Director
Office of Administrative Services
EDP and Systems
231 East 4th South
Empire Building
Salt Lake City, Utah 84111

Vermont

AABD/ANFC Director
Department of Social Welfare
4 East State Street
Montpelier, Vermont 05602

Virginia

Director
Bureau of Data Systems
Data Proc. Oper. Section
Room 107 Ratcliffe Bldg.
1602 Rolling Hills Drive
Richmond, Virginia 23288

Washington

Director
Data Audit
Mailstop 16-2
P.O. Box 1788
Olympia, Washington 98504

West Virginia

Director
State of West Virginia Department of Welfare
State Office Building No. 6
1900 East Washington Street
Charleston, West Virginia 25305

Wisconsin

Director
Division of Family Services
1 West Wilson Street
Room 341
Madison, Wisconsin 53702

Wyoming

Director of Finance and Accounting
Department of Health and Social Services
State Office Building West
Chenenne, Wyoming 82002

Appendix E Federal Coal Mine Health and Safety Act Claims (Black Lung)

Black lung records are maintained by the Bureau of Disability Insurance, Baltimore, Maryland 21241. Office hours: 8:20am - 4:50pm.

Appendix F Social Security Administration Field Operations**1. Social Security District and Branch Offices**

The addresses and telephone numbers of social security district and branch offices may be found listed in local telephone directories under Social Security Administration or under United States Government, Department of Health, Education, and Welfare, Social Security Administration.

Office Hours - varied.

2. Assistant Regional Commissioner (Field) Office Addresses

Boston Region--Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building
Government Center, Room 1109
Boston, Massachusetts 02203

Office Hours - 8:30 - 5:00

New York Region--New Jersey, New York, Puerto Rico, Virgin Islands

26 Federal Plaza, Room 4034
New York, New York 10007

Office Hours - 8:30 - 5:00

Philadelphia Region--Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia

3535 Market Street
P.O. Box 8788
Philadelphia, Pennsylvania 19101

Office Hours - 8:00 - 4:30

Atlanta Region--Alabama, North Carolina, South Carolina, Florida, Georgia, Kentucky, Mississippi, Tennessee

101 Marietta Tower
Suite 2001
Atlanta, Georgia 30323

Office Hours - 8:00 - 4:30

Chicago Region--Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive, 28th Floor
Chicago, Illinois 60606

Dallas Region--Arkansas, Louisiana, New Mexico, Oklahoma, Texas

1200 Main Tower Bldg.
Suite 21st Floor
Dallas, Texas 75202

Office Hours - 8:00 - 4:30

Kansas City Region--Iowa, Kansas, Missouri, Nebraska

New Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

Office Hours 8:00 - 4:30

Denver Region--Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building
1961 Stout Street
Room 9017
Denver, Colorado 80294

Office Hours - 8:00 - 4:30

San Francisco Region--American Samoa, Arizona, California, Guam, Hawaii, Nevada

Federal Office Building
100 Van Ness Avenue, 26th Floor
San Francisco, California 94102

Office Hours - 8:00 - 4:30

Seattle Region--Alaska, Idaho, Oregon, Washington

Room 6027
1321 Second Avenue
Arcade Plaza Building MS 201
Seattle, Washington 98101

Office Hours - 8:00 - 4:30

3. These addresses service the regions set out in 2 above

CRIS Unit
Room 34-102
26 Federal Plaza
New York, New York 10007

Supplemental Security Income Operations Unit

P.O. Box 8269
3535 Market, Room 7400
Philadelphia, Pennsylvania 19101

Special Operations Staff
300 S. Wacker Drive
28th Floor, South
Chicago, Illinois 60606

6th Floor
14600 Detroit Avenue
Cleveland, Ohio 44107

Operational Quality Maintenance
P.O. Box 15648
601 East 12th Street, 10th Floor
Kansas City, Missouri 64106

Field Processing Unit
Suite 420
Bruce Towers
2101 South Inter-Regional Highway
Austin, Texas 78741

Special Operations Section
Drawer 3618 9th Floor
1961 Stout St.
Denver, Colorado 80294

Field Support Unit
Second Floor
620 Folsom Street
San Francisco, California 94107

915 Second Avenue
Rm. 2344, Federal Office Bldg.
Seattle, Washington 98174

4. Teleservice Centers**Atlanta**

P.O. Box 54655
Sixth Floor
730 Peachtree Street, NE
Atlanta, Georgia 30308

Berkeley

2000 Center Street
Room 420
Berkeley, California 94704

Boston

Rm. 1609
100 Summer St.
Boston, Massachusetts 02110

Chicago

4916 W. Belmont
Chicago, Illinois 60643

Cleveland

11901 Berea Road
2nd Floor
Cleveland, Ohio 44111

Des Moines

Room 965
210 Walnut Street
Des Moines, Ia 50309
Ft. Lauderdale

299 E. Broward Blvd., Federal Bldg.
Room 410
Ft. Lauderdale, Florida 33310

Houston

2472 Bolsover
Houston, Texas 77005

Kansas
Room 2800 Federal Bldg. 911 Walnut Street
Kansas City, Mo 64106

Laurel

9703 Fort Meade Road
Route 198
Laurel, Maryland 20810

Los Angeles

2309 Daly Street
Los Angeles, California 90031

New Orleans

31st Floor
Plaza Towers
1001 Howard Avenue
New Orleans, Louisiana 70113

Lodi

2nd Floor, Merchants Mall
#1 South Main Street
Lodi, New Jersey 07644

Pittsburgh

Room 1000 Park Building
355 Fifth Avenue
Pittsburgh, Penn 15222

St. Louis

8764 Manchester Road
St. Louis, Mo 63144

Tampa

P.O. Box 22627
4810 North Howard Avenue
Tampa, Florida 33622

Upper Darby

6801 Ludlow Street
2nd Floor
Upper Darby, Pennsylvania 19082

Phoenix

3424 North Central Avenue
P.O. Box 7370
Phoenix, Arizona 85011

San Diego

P.O. Box 81387
Suite 215
4250 Pacific Highway
San Diego, California 92138

Appendix G Bureau of Hearings and Appeals

The Bureau of Hearings and Appeals is charged with the responsibility for making decisions on appeals taken above the reconsideration level by claimants for retirement, survivors, disability, supplemental security, medicare, or black lung benefits.

Files for cases awaiting action by the Appeals Council based on the claimants' request for Council review and records of hearings decisions by Administrative Law Judges are maintained at the Bureau headquarters. The address is:

Bureau of Hearings and Appeals
801 North Randolph Street
Arlington, Virginia 22203

Files for cases awaiting hearings or decisions by Administrative Law Judges based on requests for a hearing submitted by claimants are maintained in the appropriate hearing office.

The selection of the office is based on the Region and the District Office Service Area in which the appellant claimant lives. The Regions, the addresses of the Administrative Law Judges and the District Office Service Areas from which the Judges accept cases are listed below. Correspondence should be addressed to the Bureau of Hearings and Appeals, Administrative Law Judge at the appropriate address.

In the BOSTON REGION

Room 1311
150 Causeway Street
Boston, Massachusetts 02114

For the following district offices

MASSACHUSETTS: Boston, Brockton, Cambridge, Chelsea, Fitchburg, Framingham, Haverhill, Lawrence, Lowell, Lynn, Malden, Norwood, Quincy, Roxbury, Salem, Waltham, Worcester

Room 331
135 High Street
Hartford, Connecticut 06103

For the following district offices

Connecticut: Downtown, Hartford, Meriden, New Britain, Torrington, Waterbury

275 Chestnut Street
3rd Floor, Manchester Federal Building
Manchester, NH 03101

For the following district offices

NEW HAMPSHIRE: Concord, Littleton, Manchester, Nashua, Portsmouth

VERMONT: Burlington, Montpelier, Rutland

Suite 2F
770 Chapel Street
New Haven, CT 06510

For the following district offices
Connecticut: New Haven, Bridgeport, Stamford

For the following district offices
Maine: Augusta, Bangor, Lewiston, Portland, Presque Isle

8th Floor, Howard Building
10 Dorrance Street
Providence, Rhode Island 02903

CONNECTICUT: New London, Willimantic

MASSACHUSETTS: Attleboro, Fall River, New Bedford

RHODE ISLAND: Pawtucket, Providence

Room 438
436 Dwight Street
Springfield, Mass 01103

For the following district offices
Massachusetts: Springfield, Holyoke, Pittsfield
In the NEW YORK REGION

Federal Office Bldg., Room 942
One Clinton Square
Albany, New York 12207

NEW YORK: Albany, Glens Falls, Gloversville, Kingston, Newburgh, Plattsburgh, Poughkeepsie, Schenectady, Troy

189 Montague Street
2nd Floor
Brooklyn, New York 11201

NEW YORK: Brooklyn Avenue X, Boro Hall, Bushwick, East
New York, Flatbush

Room 404
U.S. Court House
68 Court Street
Buffalo, New York 14202

NEW YORK: Batavia, Buffalo, Jamestown, Kenmore, Niagara
Falls, Olean, Rochester

Room 402, Ferry Office Building
1800 Davis Street, East
Camden, New Jersey 08104

NEW JERSEY: Asbury Park, Atlantic City, Bridgeton, Camden,
Trenton

Room 700, Housing
Investment Building
416 Ponce de Leon Avenue
Hato Rey, Puerto Rico 00918

PUERTO RICO: Arecibo, Bayamon, Caguas, San Juan:
Downtown

VIRGIN ISLANDS: St. Thomas

Room 704, Title Guarantee Building
90-04 161st Street
Jamaica, New York 11432

NEW YORK: Flushing, Freeport, Jackson Heights: Downtown;
Jamaica

Room 6A, Western Federal Building
19 West McKinley Street
Mayaguez, Puerto Rico 00708

MAILING ADDRESS:

G.P.O. Box V
Mayaguez, Puerto Rico 00708

PUERTO RICO: Mayaguez

Room 1522
1180 Raymond Road
Newark, New Jersey 07101

195 Willis Avenue
Mineola, N.Y. 11501

NEW YORK: Huntington Station, Mineola, Patchogue

NEW JERSEY: East Orange, Hackensack, Irvington, Jersey
City, Montclair, Morristown, Newark, Passaic, Paterson

Room 3138, Federal Building
26 Federal Plaza
New York, New York 10007

NEW YORK: Bronx: East Bronx, North Bronx, South Bronx;
Manhattan: Downtown, Midtown, Uptown, Washington
Heights; Staten Island, Tompkins Park

Vendell Building
Hostos Avenue, 11 Esq. R. Power
Ponce, Puerto Rico 00731

PUERTO RICO: Ponce

100 S. Clinton Street
Federal Bldg., Room 913
Syracuse, N.Y. 13202

Mailing Address:
P.O. Box 5150
Syracuse, N.Y. 13250

NEW YORK: Auburn, Binghamton, Elmira, Ogdensburg,
Oneonta, Oswego, Syracuse, Utica, Watertown

Room 105
237 Mamaroneck Avenue
White Plains, New York 10605

NEW YORK: Nanuet, New Rochelle, White Plains, Yonkers

In the PHILADELPHIA REGION

Room 415, The Rotunda
711 West 40th Street
Baltimore, Maryland 21211

MARYLAND: Baltimore: Downtown, Glen Burnie, Towson

VIRGINIA: Bristol, 500 Quarrier Street

Room 1019, U.S. Courthouse and Federal Building
Charleston, West Virginia 25301

WEST VIRGINIA Beckley, Charleston, Logan, Parkersburg

Room 301, Litton Bldg.
1207 Quarrier Street
Charleston, W. Va 25301
See Charleston Title II Office

Room 203, Citizens Commonwealth Center
300 Preston Avenue
Charlottesville, Virginia 22901

VIRGINIA: Charlottesville, Lynchburg, Staunton

1011 Sixth Avenue
Huntington, West Virginia 25701

KENTUCKY: Ashland, Pikeville

WEST VIRGINIA: Huntington

Riverside Office Center
Bldg. No. 3--Suite H
2101 N. Front St.
Harrisburg, Pennsylvania 17110

PENNSYLVANIA: Lancaster, York, Carlisle, Harrisburg,
Lebanon

Room 309, Fox Square Pavilion
Old York Road at Wyncote
Jenkintown, Pennsylvania 19046

PENNSYLVANIA: Allentown, Bristol, Easton, Norristown;
Philadelphia Northeast, Reading

Room 213, Federal Building
P.O. Box 1031
Johnstown, Pennsylvania 15901

200 Grandy Mall
Federal Bldg., Rm 736
1516 Harmon Street
Norfolk, Va 23510

Virginia: Hampton, Newport News, Norfolk, Portsmouth,
Sulfolk

PENNSYLVANIA: Altoona, Du Bois, Greensburg, Indiana,
Johnstown

1528 Walnut Street
10th Floor
Philadelphia, Pennsylvania 19107

DELAWARE: Dover, Wilmington

PENNSYLVANIA: Chester Philadelphia: Downtown,
Germantown, West Upper Darby, West Chester, York

355 Fifth Avenue, 5th Floor
Park Building
Pittsburgh, Pennsylvania 15222

PENNSYLVANIA: Ambridge, Butler, Erie, McKeesport, New
Castle, New Kensington, Oil City; Pittsburgh: Downtown,
East, Sharon, Uniontown, Washington

WEST VIRGINIA: Clarksburg, Morgantown, Wheeling

OHIO: Bridgeport, East Liverpool, Stubenville

Room 9225, Federal Building
400 North 8th Street
Richmond, Virginia 23240

VIRGINIA: Newport News, Petersburg, Richmond: Downtown

Room 857 Richard Poff Federal Office Bldg.
210 Franklin Road, S.W.
Roanoke, Virginia 24104

VIRGINIA: Covington, Danville, Roanoke

WEST VIRGINIA: Bluefield, Welch

Room 730
1325 G Street, N.W.
Washington, D.C. 20005

DISTRICT OF COLUMBIA: Washington: Downtown,

MARYLAND: Camp Springs, Cumberland, Frederick,

PENNSYLVANIA: Chambersburg

VIRGINIA: Alexandria, Winchester

WEST VIRGINIA: FOREIGN CLAIMS except Philippine
Islands

DELAWARE: Georgetown

Suite 832
425 13th Street, N.W.
Washington, D.C. 20004

See Washington D. C. Title II Office
Room 3110 Penn Place
20 N. Pennsylvania Ave.
Wikes-Barre, Pa. 18701

PENNSYLVANIA: Hazleton, Pottsville, Scranton, Sunbury,
Wilkes-Barre, Williamsport

DELAWARE: Wilmington, Dover

In the ATLANTA REGION

Suite 514
25th Building
1720 Peachtree Street, N.W.
Atlanta, Georgia 30309

GEORGIA: Atlanta; Downtown, East Point, Gainesville, La
Grange, Marietta

Room 420, Shel-Al Building
11 West Oxmoor Road
Birmingham, Alabama 35209

ALABAMA: Anniston, Bessemer; Birmingham: Downtown,
Gadsden, Tuscaloosa

Federal Bldg., Suite 125
334 Meeting Street
Charleston, South Carolina 29403

GEORGIA: Savannah: Downtown

SOUTH CAROLINA:
Charleston, North Charleston

Suite 302, Court Plaza Bldg.
901 Elizabeth Avenue
Charlotte, North Carolina 28204

NORTH CAROLINA: Asheville; Charlotte: Downtown,
Gastonia, Salisbury, (Statesville)

SOUTH CAROLINA: Rock Hill

Suite 6300, 6300 Building
Eastgate Center
Chattanooga, Tennessee 37411

ALABAMA: Huntsville

GEORGIA: Rome

TENNESSEE: Chattanooga

Room 221, Middleburg Plaza
2742 Middleburg Drive
Columbia, South Carolina 29204

SOUTH CAROLINA: Columbia, Florence, Greenwood

Suite 2100, Bldg 3
Northgate Office Park
3620 Interstate 85 N.E.
Doraville, Ga 30340

GEORGIA: Athens, Augusta, Decatur, Gainesville

Suite E. Spring Street Federal Bldg.
426 East Spring Street
Florence, Alabama 35630

ALABAMA: Decatur, Florence

MISSISSIPPI: Columbus, Tupelo

1200 West Bessemer Square Building
1215 West Bessemer Avenue
Greensboro, North Carolina 27408

NORTH CAROLINA: Greensboro, High Point, Winston-Salem

Suite 116
300 University Ridge
Greenville, South Carolina 29601

SOUTH CAROLINA: Anderson, Greenville, Spartanburg

301 Humble Avenue
Hattiesburg, Mississippi 39401

MISSISSIPPI: Hattiesburg

Executive Building
802 North State Street
Jackson, Mississippi 39201

MISSISSIPPI: Greenville, Greenwood, Jackson, Meridian,
Vicksburg

Room 2309, Art Museum Drive
Jacksonville, Florida 32207

FLORIDA: Gainesville; Jacksonville: Downtown, Tallahassee

GEORGIA: Thomasville, Valdosta, Waycross

East Gate Plaza
1420B East Stone Drive
Kingsport, Tennessee 37664

TENNESSEE: Johnson City

VIRGINIA: Bristol

Suite 300, Appalachian National Life Building
318 Cumberland Avenue, S.W.
Knoxville, Tennessee 37902

TENNESSEE: Knoxville

Room 203, The Bakhaus Building
1500 West Main Street
Lexington, Kentucky 40505

KENTUCKY: Corbin, Frankfort, Hazard, Lexington

Room 600, Bank of Louisville Building
510 West Broadway
Louisville, Kentucky 40202

INDIANA: New Albany

KENTUCKY: Campbellsville, Elizabethtown; Louisville:
Downtown, Bowling Green

Room 813, Southern Trust Building
682 Cherry Street
Macon, Georgia 31201

GEORGIA: Albany, Columbus, Macon

Suite 602
Mid-Memphis Tower Bldg.
1407 Union Avenue
Memphis, Tennessee 38103

TENNESSEE: Dyersburg, Jackson; Memphis: Downtown

4th Floor, Northwest
Airlines Bldg.
150 S.E. 2nd Avenue
Miami, Florida 33130

FLORIDA: Fort Lauderdale: Downtown, Hollywood, Miami:
Downtown, North; Miami Beach, West Palm Beach

Village Square Shopping Center
P.O. Box 1468
Middlesboro, Ky 40965

KENTUCKY: Corbin, Hazard

Room 407, Commerce Building
118 North Royal Street
Mobile, Alabama 36602

ALABAMA: Mobile: Downtown**FLORIDA: Panama City, Pensacola****MISSISSIPPI: Gulfport**

Room 109, McDonough Building
770 South McDonough Street
Montgomery, Alabama 36104

ALABAMA: Dothan, Montgomery, Selma

Room 816
1717 West End Avenue
Nashville, Tennessee 37203

TENNESSEE: Columbia, Cookeville, Nashville: Downtown

U.S. Federal Bldg and Courthouse, Rm 239
80 N. Hughey Avenue
Orlando, Florida 32801

FLORIDA: Daytona Beach, Melbourne, Orlando

Tiffany Square
Number 1, 3038 Lane
Oad Road
Paducah, Kentucky 42001

ILLINOIS:**KENTUCKY: Hopkinsville, Owensboro, Paducah**

3824 Barrett Drive, Room 200
Raleigh, North Carolina 27609

NORTH CAROLINA: Durham,
Fayettesville, Goldsboro, Greenville, New Bern, Raleigh, Rocky
Mount, Wilmington

Suite 638
700 Twiggs Bldg.
Tampa, Florida 33602

FLORIDA: Clearwater, Fort Myers, Lakeland, St. Petersburg,
Sarasota, Tampa: Downtown

In the CHICAGO REGION:

Room 1430, Mid-Continental Plaza
55 East Monroe Street
Chicago, Illinois 60603

ILLINOIS: Aurora, Champaign; Chicago: Loop, Near
Northwest, Near Southwest, South, West; Danville, Elgin,
Elmwood Park, Harvey, Joliet, Kankakee, North Riverside

The Kluczynski Federal Bldg.
230 South Dearborn St.
Room 2645
Chicago, Illinois 60604 (South)

ILLINOIS: Chicago: East, Southeast

INDIANA: Gary, Hammond, Michigan City

MICHIGAN: Benton Harbor

Room 6409, Federal Office Building
550 Main Street
Cincinnati, Ohio 45202

KENTUCKY: Covington

OHIO: Cincinnati: Downtown, North; Dayton: Downtown,
Hamilton, Portsmouth

1919 Superior Building
815 Superior Avenue, N.E.
Cleveland, Ohio 44114

OHIO: Akron: Downtown, Ashtabula, Canton; Cleveland:
Downtown, Heights, West, Lorain, Mansfield, New
Philadelphia, Sandusky, Steubenville; Toledo: Downtown;
Warren, Youngstown

Room 717, LeVeque Lincoln Tower
50 West Broad Street
Columbus, Ohio 43215

OHIO: Chillicothe; Columbus: Downtown; Findlay, Lima,
Marietta, Marion, Newark, Piqua, Springfield, Zanesville

Patrick J. McNamara Federal Bldg
4th Floor, Rooms 430-449 477 Michigan Avenue
Detroit, Michigan 48226

MICHIGAN: Ann Arbor, Dearborn; Detroit: Downtown, East,
Southwest

Room 250, 2nd Davis Bldg
820 Davis Street
Evanston, Illinois 60201

ILLINOIS: Chicago: North, Northwest; Evanston, Rockford,
Sterling, Waukegan

Room 246, Federal Bldg.
101 N. W. Seventh St.
Evansville, Indiana 47708

ILLINOIS: Carbondale, Harrisburg, Mount Vernon

INDIANA: Evansville, Vincennes

KENTUCKY

Room 810 Metropolitan Building 432 N. Saginaw St.
Flint, Michigan 48502

MICHIGAN: Bay City, Flint, Port Huron, Saginaw

Room 401, Commerce Building
127 West Berry Street
Fort Wayne, Indiana 46802

INDIANA: Elkhart, Fort Wayne, Marion, Muncie, South Bend**OHIO:** Defiance

221 Federal Bldg.
575 N. Pennsylvania Street
Indianapolis, Indiana 46204

INDIANA: Anderson, Bloomington, Columbus, Indianapolis:
Downtown; Kokomo, Lafayette, Madison, Richmond, Terre Haute

Room 900, Washington Square Building
109 West Michigan Avenue
Lansing, Michigan 48933

MICHIGAN: Battle Creek, Grand Rapids, Jackson, Kalamazoo,
Lansing, Mount Pleasant, Muskegon, Traverse City
The Continental Bank Bldg.
Room 800
735 West Wisconsin Avenue
Milwaukee, Wisconsin 53233

WISCONSIN: Eau Claire, Fond de Lac, Janesville, Kenosha,
La Crosse, Madison, Milwaukee: North, South; Oshkosh,
Racine, Sheboygan, Waukesha, Wisconsin Rapids, Appleton,
Green Bay, Wassau

MICHIGAN: Escanaba, Marquette

830 Plymouth Building
12 South 6th Street
Minneapolis, Minnesota 55402

MINNESOTA: Austin, Bemidji, Duluth, Hibbing, Mankato,
Marshall; Minneapolis: Downtown; Rochester, St. Cloud, St.
Paul, Winona

WISCONSIN: Superior

Room 1004, Savings Center Tower
411 Hamilton Blvd.
Peoria, Illinois 61602

ILLINOIS: Bloomington, Decatur, Galesburg, Peoria, Peru,
Springfield

North Park Plaza
17117 West Nine Mile Road
Southfield, Michigan 48075

MICHIGAN: Detroit: Highland Park, Northwest; Pontiac,
Roseville, Livonia

In the **DALLAS REGION**

Room 309, Patio Plaza Bldg
5000 Marble Avenue, N.E.
Albuquerque, New Mexico 87110

NEW MEXICO: Albuquerque, Farmington, Roswell, Santa Fe

3744 Government Street
Alexandria, Louisiana 71301

LOUISIANA: Alexandria, Lafayette, Lake Charles, Baton
Rouge: Downtown

Federal Office Bldg
Room 7B41
Dallas, Texas 75202 (DT)

OKLAHOMA**TEXAS:** Dallas: Downtown; Lufkin, Temple, Waco

Room 270, Central Mall
5111 Rogers Avenue
Fort Smith, Arkansas 72903

ARKANSAS: Fayetteville, Fort Smith

Room 9A35, Federal Office Building
819 Taylor Street
Fort Worth, Texas 76102

TEXAS: Abilene, Fort Worth, Odessa, San Angelo, Waco

Suite 252, Royal Gardens Bldg.
10830 North Central Expressway
Dallas, Texas 75231 North

TEXAS:
Longview, Paris, Greenville,
Tyler, Sherman

Dallas: Rawlins

Suite 815
500 Dallas Street
Houston, Texas 77002

TEXAS: Beaumont, Bryan, Galveston; Houston: Downtown,
Pasadena, Port Arthur

Suite 103, Tanglewood Professional Building
7509 Cantrell Road
Little Rock, Arkansas 72207

ARKANSAS: El Dorado, Forrest City, Hot Springs National
Park, Jonesboro, Little Rock, Pine Bluff

104 East Carl Albert Pkwy.
McAlester, Poteau Oklahoma 74501

TEXAS: Texarkana**OKLAHOMA:** McAlester, Muskogee

2nd Floor, Oil and Gas Building
1100 Tulane Avenue
New Orleans, Louisiana 70112

LOUISIANA: Houma, New Orleans: Downtown

Suite 416, 50 Penn Place
Northwest 50th and Pennsylvania Streets
Oklahoma City, Oklahoma 73118

OKLAHOMA: Ardmore, Enid, Lawton, Oklahoma City**TEXAS:** Amarillo, Lubbock, Wichita Falls

Room 222, Castle Hills Executive Plaza
1015 Jackson Keller Road
San Antonio, Texas 78213

TEXAS: Austin, Brownsville, Corpus Christi, Laredo, McAllen;
San Antonio: Downtown, Victoria, El Paso

Suite 232
Shreve City Office Park
2920 Knight Street

LOUISIANA, Shreveport, Monroe

3rd Floor, Columbia Building
2651 East 21st Street
Tulsa, Oklahoma 74114

OKLAHOMA: TulsaIn the **KANSAS CITY REGION**

Room 621, Federal Building
210 Walnut Street
Des Moines, Iowa 50309

ILLINOIS: Rock Island

IOWA: Burlington, Cedar Rapids, Creston, Davenport, Des Moines, Dubuque, Fort Dodge, Mason City, Ottumwa, Waterloo

Room 2
8706 Manchester Road
Brentwood, MO 63144

Missouri: Cape Girardeau, Clayton, St. Louis County, Southside, St. Charles, Poplar Bluff

Room 1201, Federal Office Building
911 Walnut Street
Kansas City, Missouri 64106

KANSAS: Kansas City, Topeka

MISSOURI: Independence, Jefferson City, Joplin; Kansas City: Moberly, St. Joseph, Sedalia, Springfield

980 South 72nd Street
Omaha, Nebraska 68114

IOWA: Sioux City

NEBRASKA: Grand Island, Lincoln, Norfolk, North Platte, Omaha

Room 1427
210 North 12th Street
St. Louis, Missouri 63101

ILLINOIS: Alton; East St. Louis: Downtown, Quincy**MISSOURI: Hannibal, St. Louis: Downtown, South Side;**

102 Woodlawn Building
400 North Woodlawn
Wichita, Kansas 67208

KANSAS: Dodge City, Hays, Hutchinson, Independence, Pittsburgh, Salina, Wichita

In the DENVER REGION

204 Treasure State
2906 2nd Ave, N
Billings Mt 59101

11th Floor, Blue Cross-Blue Shield Bldg.
700 Broadway Street
Denver, Colorado 80202

COLORADO: Alamosa, Colorado Springs; Denver: Downtown; Grand Junction, Greeley, Pueblo, Fort Collins

MONTANA: Billings, Butte, Great Falls, Helena, Missoula

NEBRASKA: Scottsbluff**SOUTH DAKOTA: Rapid City****WYOMING: Casper, Cheyenne**

Room 204, Federal Courthouse Bldg.
655-1st Avenue, North
Fargo, North Dakota 58102

MINNESOTA

NORTH DAKOTA: Bismarck, Fargo, Grand Forks, Minot

SOUTH DAKOTA: Aberdeen, Huron, Sioux Falls

Room 2215 Federal Office Bldg.
125 South State Street
Salt Lake City, Utah 84111

IDAHO: Boise, Pocatello, Twin Falls

UTAH: Ogden, Provo, Salt Lake City

WYOMING: Rock Springs

In the SAN FRANCISCO REGION

Suite 26
8050 Florence Avenue
Downey, CA 90240

Huntington Park, Downey, Norwalk, Whittier

900 Civic Center Square Bldg.
906 North St.
Fresno, California 93721

CALIFORNIA: Bakersfield: Downtown, Fresno: Downtown, Visalia

Kuhis Federal Bldg., Room 3209
Box 50066
Honolulu, Hawaii 96850

AMERICAN SAMOA**HAWAII: Honolulu**

Suite 1010
400 Oceangate
Long Beach, California 90802
Huntington Park, Long Beach, Los Angeles: Watts Torrance, Manhattan Beach, Crenshaw

Room 13201
11000 Wilshire Boulevard
Los Angeles, California 90024
(West)

CALIFORNIA: Canoga Park, Lancaster; Los Angeles: Downtown, Santa Barbara, Santa Monica, Van Nuys, Ventura, Marina Del Rey

624 South Grand Avenue
Suite 2300
Los Angeles, CA 90013 (DT)

CALIFORNIA: Inglewood, Downtown, Los Angeles, Monterey Park, Maricle Mile, University Village, Wilshire Center

Suite 612
3737 East Century Blvd.
Lynwood, CA 90261

CALIFORNIA: Compton, Watts

Room 930, United California Bank Building
1330 Broadway
Oakland, California 94612

CALIFORNIA: Berkeley: Downtown, Hayward, Oakland: Downtown, Walnut Creek

Grosvner, Plaza Suite 500
150 South Los Robles Avenue
Pasadena, California 91101

CALIFORNIA: Glendale: Downtown; Pasadena

Suite 308, Mayer Central Building
3033 North Central Avenue
Phoenix, Arizona 85012

ARIZONA: Phoenix: Downtown; Prescott

NEVADA: Las Vegas

Midtown Bldg, Suite 210
1507 21st Street
Sacramento, CA 95814 (DT)
Room E 1807
2800 Cottage Way
Sacramento, California 95825 N

CALIFORNIA: Chico, Modesto, Redding, Sacramento, Stockton

NEVADA: Reno

Suite 308, Blackstone Building
362 North Arrowhead Avenue
San Bernardino, California 92401

CALIFORNIA: Palm Springs, Pomona, Riverside, San Bernardino

U.S. Courthouse
940 Front Street, Room 2-N-26
San Diego, California 92189

ARIZONA

CALIFORNIA: San Diego: Downtown

Suite 320
550 Kearney Street
San Francisco, California 94108

CALIFORNIA: San Francisco: Civic Center, Parkside; San Mateo, Santa Cruz

PHILIPPINE ISLANDS

Room 800, Community Bank Building
111 West St. John Street
San Jose, California 95113

CALIFORNIA: Salinas; San Jose: Downtown; San Luis Obispo, Santa Cruz

Room 204, The Citizens Building
950 Northgate Drive
San Rafael, California 94903

CALIFORNIA: Eureka, San Rafael, Santa Rosa, Vallejo

Room 3-B, Federal Building
301 West Congress Street
Tucson, Arizona 85701

ARIZONA: Tucson: Downtown

Room 902, Federal Bldg.
34 Civic Center Plaza
Santa Ana, Calif. 92701
CALIFORNIA Anaheim, Costa Mesa,
Fullerton, Huntington Beach, Norwalk,
San Juan Capistrano, Santa Ana

In the SEATTLE REGION

Federal Bldg. & Courthouse Room 430
211 E. Seventh Ave.
Eugene, Oregon 97401

OREGON: Eugene, Klamath Falls, Medford

Room 800, Terminal Sales Building
1220 S.W. Morrison Street
Portland, Oregon 97204

OREGON: Portland: Downtown, East, Salem

WASHINGTON: Vancouver

Room 3162-Federal Bldg.
915 Second Avenue
Seattle, Washington 98174

ALASKA: Anchorage, Juneau

WASHINGTON: Bellevue, Bellingham, Bremerton, Everett, Olympia, Seattle: Downtown; Tacoma, Yakima

830 Bon Marche Building
214 North Wall Street
Spokane, Washington 99201

IDAHO: Lewiston

OREGON: La Grande

WASHINGTON: Spokane, Walla Walla, Wenatchee

The Administrative Law Judges are independent adjudicators. However, they do need certain administrative and logistical support. This support is provided by the Regional Chief Administrative Law Judges, Bureau of Hearings and Appeals whose offices are at the following addresses:

In the BOSTON REGION

E-310 John F. Kennedy Federal Building
Boston, Massachusetts 02203

In the NEW YORK REGION

Room 4000
26 Federal Plaza
New York, New York 10007

In the PHILADELPHIA REGION

Room M300, The Gateway Building
36th and Market Streets
Philadelphia, Pennsylvania 19101

MALING ADDRESS:

P.O. Box 8788
Philadelphia, Pennsylvania 19101

In the ATLANTA REGION

Suite 401
Marietta Tower Bldg.
101 Marietta Street, N.W.
Atlanta, Georgia 30323

In the CHICAGO REGION

16th Floor
300 S. Wacker
Chicago, Illinois 60606

In the DALLAS REGION

Suite 1400, Corrigan Tower Bldg.
212 North St. Paul Street
Dallas, Texas 75201

In the KANSAS CITY REGION

Room 505, Federal Office Building
911 Walnut Street
Kansas City, Missouri 64106

In the DENVER REGION

Suite 402, Federal Office Building
Rio Grande Bldg.
1531 Stout Street
Denver, Colorado 80202

In the SAN FRANCISCO REGION

24th Floor
100 Van Ness Avenue
San Francisco, California 94102

In the SEATTLE REGION

Room 1852
Federal Building
915 Second Avenue
Seattle, Washington 98174

Appendix H Bureau of Data Processing Electronic Data Centers

Bureau of Data Processing
Veterans Administration Building
19 N. Main St.,
Wilkes Barre, Pa. 18701

Bureau of Data Processing
Albuquerque Data Operations Ctr.
933 Bradbury, S.E.
Albuquerque, N.M. 87112

Bureau of Data Processing
Salinas Data Operation Ctr.
6th Floor No. 8 E. Alisal
Salinas, Calif. 93901

Appendix I Availability of Records, Manuals, Etc.

All administrative staff manuals of the Social Security Administration and instruction to staff personnel which contain policies, procedures, or interpretations that affect the public are available for inspection and copying. These manuals are generally not printed in a sufficient quantity to permit sale or other general distribution to the public, but many are maintained at district offices and field offices and may be inspected there (See Appendix F). A complete listing of staff manuals and instructions is published in Social Security Rulings which is available from the Government Printing Office, Washington, D.C. 20402.

The Social Security Act is codified at 42 U.S.C. 301 and the Federal Coal Mine Health and Safety Act may be found at 30 U.S.C. 901.

The Regulations relating to Federal retirement, survivors, and disability insurance and health insurance for the aged, are published in the Code of Federal Regulations under title 20, chapter III, Part 401 et seq.:

- A. Part 401 contains Regulation No. 1, Disclosure of Official Records and Information.
- B. Part 402, which contained Regulations No. 2, has not been published in the Code beginning with the 1949 edition since Regulations No. 2 applies only to the Social Security Act in effect before 1940.
- C. Part 403, which contained Regulations No. 3, has not been published in the Code beginning with the 1965 edition since Regulations No. 3 relates to the period from 1940 to 1950. The extent to which Regulations No. 3 remains in effect is indicated in Sections 404.3(a) of Regulations No. 4.
- D. Part 404 contains Regulations No. 4, Federal Old-Age, Survivors, and Disability Insurance (1950-).
- E. Part 405 contains Regulations No. 5, Federal Health Insurance for the Aged and Disabled (1965-).
- F. Part 410 contains Regulations No. 10, Federal Coal Mine Health and Safety Act of 1969, title IV, Black Lung Benefits (1969-).
- G. Part 416 contains Regulations No. 16, Supplemental Security Income (1973-).
- H. Part 422 contains Regulations No. 22, Organization and Procedures.

Title 20 of the Code of Federal Regulations (Part 400 to End, revised as of April 1, 1973), can be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

Requests for accessing an individual's own records should be directed to the systems managers listed in the foregoing notices. Requests for other records and manuals may be made to: (1) the Director, Office of Information, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, or (2) the Information Center Officer, at the Regional Offices of the Department of Health, Education, and Welfare. The locations and service areas of these offices are as follows:

BOSTON REGION--Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

John F. Kennedy Federal Building
Room 1100A
Boston, Massachusetts 02203

Office Hours: 8:30-5:00

NEW YORK REGION--New York, New Jersey, Puerto Rico, Virgin Islands

Federal Building
Room 745
26 Federal Plaza
New York, New York 10007

Office Hours: 8:30-5:00

PHILADELPHIA REGION--Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia

P.O. Box 8788
Philadelphia, Pennsylvania 19101

Office Hours: 8:00-4:30

ATLANTA REGION--Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

50 Seventh Street, NE
Room 240
Atlanta, Georgia 30323

Office Hours: 8:00-4:30

CHICAGO REGION--Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin

300 South Wacker Drive,
Room 2719
Chicago, Illinois 60606

Office Hours: 8:15-4:45

DALLAS REGION--Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Room 2535 1200 Commerce Street
Dallas, Texas 75202

Office Hours: 8:15-4:45

KANSAS CITY REGION--Iowa, Kansas, Missouri, Nebraska

Federal Building, Room 431-A,
601 East 12th Street,
Kansas City, Missouri 64106

Office Hours: 8:00-4:45

DENVER REGION--Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming

Federal Office Building
Room 8005
1961 Stout Street,
Denver Colorado 80202

Office Hours: 8:00-4:30

SAN FRANCISCO REGION--Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, American Samoa

100 Van Ness Avenue
26th Floor
San Francisco, California 94102

Office Hours: 8:00-4:30

SEATTLE REGION--Alaska, Idaho, Oregon, Washington

Arcade Plaza Building, MS-614
1321 Second Avenue, Room 6027
Seattle, Washington 98101

Office Hours: 8:00-4:30

Appendix J Social Security Administration Data Security Measures

The confidentiality of records has been a cornerstone of Social Security Administration policy from the very beginning of the agency under the mandate of Title 20, Chapter III, Part 401 of the Code of Federal Regulations issued in 1937 and Section 1106 of the Social Security Act Passed by the Congress in 1939. Data security measures begin with the thorough training of employees in the restrictions against disclosure contained in the Act and the Regulations, the criminal sanctions for unauthorized disclosure, and the procedures used to assure that disclosures authorized by statute and regulation are released to the proper parties. The physical security measures established to safeguard records are discussed below:

1. Manually Maintained Records

Manually maintained records are kept in locked file cabinets or in otherwise secure areas. Access to the records is limited to those employees who require the information contained in the records to perform the duties assigned to them. In most cases, the records are selected for the employees needing access to them by other employees who are specifically charged with the maintenance of the records. This restricts the number of persons authorized to be in the storage areas and facilitates the control over the access to the information contained in the records to those who need it. Those records not handled in this manner are securely stored so that unauthorized individuals may not gain access to them.

2. Automated Records

Entry into the computer rooms in the headquarters complex located in Woodlawn, Maryland is restricted to those employees whose duties require such entry. A special pass containing the employee's photograph is issued to all personnel authorized to enter this area. Marshals are stationed at each entrance to assure that only possessors of the special passes are admitted. Magnetic tape records and records stored on other automated devices are kept in a library to which entry is further restricted by a lock whose opening combination is known only to a select few authorized to enter this area. Access to the information contained in these records is controlled by various manual and automated devices. Only employees who require the information to perform their duties may obtain it.

Some automated records are maintained in program service centers located across the country (See Appendix A). Entrance to the program service center buildings is restricted to employees with building

passes. In addition, special passes identify those employees whose duties require entry into the computer rooms. Access to the information contained in these records is also controlled. Only employees who require the information to perform their duties may obtain it.

Data is transmitted from field offices and program service centers to headquarters and return. For the most part, sensitive and urgent traffic is sent over lines leased by the Social Security Administration for its sole use. The remaining traffic sent directly by wire is sent via lines leased by the Federal Government for use of all Federal agencies. Sometimes the length of the record precludes direct wire transmission and magnetic tape stored on reels must be used. When this occurs, special procedures assure the delivery of the tape reels to the proper location.

Internal computer security is safeguarded by access codes, edit checks, data reformatting and return address codes. These assure that only authorized access to the computer system is permitted, that the particular data requested from the system can be released to the requester, and that control is maintained over the locations to which systems data may be sent.

Appendix K

An individual must present sufficient evidence to establish identity in order to obtain information pertaining to him from the Social Security Administration's records.

Requests for disclosure of information may be made in the following ways:

1. In Person--No special documents of identity are required if a request for disclosure of information is made in person. It is expected that documents an individual would normally carry on his person would be sufficient; the following would be acceptable although this list is not intended to be all-inclusive: credit cards, driver's license, motor vehicle registration card, building pass, voter registration cards, and selective service registration certificate. A social security number card is acceptable only when presented with other evidence.

2. Via Mail--An individual requesting disclosure of information from the Social Security Administration's records via mail must provide his name, date of birth, and address in order to establish his identity, plus any additional information required (in the system notice) to access his record within a specific system.

3. Via Telephone--An individual requesting disclosure of information via telephone must furnish the same information as listed in 2 above.

(FR Doc. 79-28596 Filed 10-1-79; 8:45 am)

BILLING CODE 4110-07-M